

PRETENDING DEMOCRACY

ISRAEL, AN ETHNOCRATIC STATE



EDITED BY
NA'EEM JEENAH

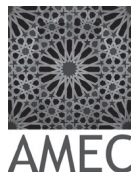
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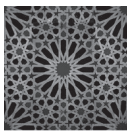
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Foreword

Ebrahim I Ebrahim

The over-arching theme of this book is a difficult and delicate matter; it concerns state-craft in a cosmopolitan and ever-changing world.

Its contents page boasts a long list of solid academics, experts and social activists – as did the speakers' list for the conference whose papers laid the basis for this volume. These are all very important deliberations on a very critical question. Precisely because of the nature of the theme and related issues that are dealt with here, I am pleased that the authors did not confine their deliberations to abstract concepts and theories but that they brought them down to basics and reality.

The issue of Palestine and Israel is one that has not remained in the corridors of academia but has impacted on the course of history, has a direct bearing on many a human life, and has been a divisive feature in the discourse on international peace and security.

We have learned from the history of state-making that it is not easy to maintain a state that is founded and based upon a historical injustice and the denial of universal freedoms. The history of state-craft is littered with examples of people using all sorts of means – including going to war – in defence of what they regarded as their universal human rights and fundamental freedoms. We have also learned from the history of state-making that it is quite possible for opposing forces to enter into political dialogue to deal with their differences and to transform the lives of their people for the better.

We live in a world that promotes democratic systems of government. Although there may be different variances of this system of government, it is, in the main, one system that brings about political stability within a state and guarantees equality of citizenship and individual freedoms. The basic tenet of this system, that the majority rules, is primarily tested in multi-racial, multi-religious, multi-ethnic and multi-cultural societies. Accordingly, those who occupy leadership positions in such societies have an overwhelming responsibility to ensure that democracy, as a system of government, is not used to deny equal rights to those who are not in the majority. Failure to safeguard fundamental freedoms for one group or to alleviate the rights of one group over those of the other can hardly serve as a useful framework for a stable democracy.

I consider Israel to be a multiethnic and a multicultural society because of the presence – over many years – of people of both Jewish and Palestinian descent within the same territory. As such, there will be inherent contradictions between advocating democracy as a universal idea, while defining the State of Israel in monoethnic terms. This approach has resulted in the relegation of Palestinians residing within the State of Israel to the status of second-class citizens. This undermines, *inter alia*, the very principle of equal citizenship which is at the core of a democratic system of government.

The inherent contradiction that I have just described is potentially a recipe for disaster and a contributing factor to on-going socio-political instability both within Israel and within the occupied territories. This is evident with Israel's attempts to Judaise East Jerusalem and other parts of the occupied territories.

Now, what is to be done? On the one hand, international conferences such as the one that resulted in this book, and this book itself, should assist us as policy- and decision-makers to deepen our understanding of this issue. Such conferences and books should also assist policy-makers to answer the following difficult question: is it possible to craft and articulate policy positions that expose this inherent contradiction, without these policies being interpreted as a questioning of the right of the State of Israel to exist. On the other hand, I still believe that there are sufficient voices within the Jewish community residing inside and outside of Israel who also understand the dangers inherent in this contradiction.

Allow me to briefly outline the South African Government's position towards peace and stability in the Middle East, specifically with regards to the question of Palestine and Israel. South Africa has accepted the view of the Palestinian leadership of both Fatah and Hamas of a two-state solution. We understand this position to mean that there has to be an independent and viable Palestinian state, living side-by-side and in peace and security with Israel on the basis of the borders that existed on 4 June 1967, with East Jerusalem as its capital. For this position to succeed it needs to address the right of return of refugees. I am, however, aware that the continued expansion of settlements in East Jerusalem and in the West Bank is making it increasingly difficult for a two-state solution based on the above principles to be realised. We must seek guidance from the Palestinian leadership on any future dispensation.

Informed by this position, we have consistently raised our objections to any acts or behaviour that, in our view, frustrate the creation of an independent and viable Palestinian state. Among other things, we have objected to the further partitioning of the Occupied Palestinian Territory through the building of settlements, the Separation Wall and other forms of restrictions imposed on the people of Palestine. Painfully, we have witnessed and denounced the use of force against civilians and the economic strangulation of Palestinians living in Gaza. We will continue to add our voice to those who are critical of any attempts to dilute the universal appreciation of Jerusalem as a Holy City and one of the most sacred places for the three monotheistic religions. We will continue with our efforts, no matter how small, to call for unity within the Palestinian forces for the purposes of achieving Palestinian statehood.

We have remained steadfast on this position because we regard it as our historical and international duty to contribute to the creation of an independent and viable state of Palestine in particular, and peace in the Middle East region in general. This position is not only informed by our own history of liberation as a country, but it is a position that our partners in Palestine and the rest of the international community have committed themselves to.

Indeed, we are aware of the other positions that are being advocated regarding the Palestine-Israel conflict. We are also not blind to the fact that some of the present-day actions of the State of Israel seem to be aimed at deliberately frustrating the eventual creation of an independent State of Palestine. Our answer to all of this is that we remain willing to be engaged further on our position.

Preface

The Middle East and North Africa (MENA) region has fundamentally changed since the latter part of 2010. The mass popular uprisings that ignited at the end of that year and rapidly engulfed much of the region have irreversibly changed both the face of the area as well as regional and global geo-politics. Entrenched dictators were toppled in Tunisia, Egypt, Yemen and Libya; popular democratically-elected governments have been installed in Egypt and Tunisia; Yemen seems haltingly to be on the road towards democracy; embers of resistance continue to burn in Bahrain in the face of brutal crackdowns, and Syria has descended into a bloody civil war.

Despite Israel's notion of its exceptionalism – its belief in its detachment from the region, driven by the state's claims of democratic and civilisational uniqueness, Israel was not untouched by the uprisings. The 2011 Israeli social-justice protests, led by the middle class and dubbed the 'J14 Movement' and the 'Tent protests', saw Israelis, inspired by events in the region emerge en masse to protest their government's economic policies and the high cost of living. The rallying call, ostensibly for 'social justice', resulted in the largest protests in the country's history. Some protesters borrowed slogans from other uprisings in the region such as the Arabic 'irhal' (leave); others proclaimed Tel Aviv's Rothschild Boulevard – where the protesters first set up camp – as their own Tahrir Square, the iconic centre in Cairo which Egyptian protesters made the symbol of their struggle. The suicide of Moshe Silman, who set himself alight at a protest in Tel Aviv in July 2012, echoed the self-immolation of Tunisian vendor Mohamed Bouazizi which triggered the regional uprisings, and underscored that Israel was not able to maintain its presumption of insularity.

It is worth noting that although Israel experienced its own popular protest movement, this was qualitatively different to the uprisings in neighbouring states. The Israeli movement was more akin to the less incendiary 'Occupy Movement' that, itself, took inspiration from the MENA uprisings.

About nine months before the MENA uprisings began in Sidi Bouzid in Tunisia, the Afro-Middle East Centre (AMEC) – a think-tank/research institute based in South Africa that focuses mainly on the MENA region and the region's relationship with the rest of Africa – convened a conference in Pretoria with the theme 'Locating ethnic states in a cosmopolitan world: The case of Israel'.

The conference brought together a number of important scholars (some of them pioneers in the topics they addressed) and some politicians from around the world to discuss Israeli ethnic nationalism and the notion of Israel as an ethnic state. The excellent papers presented laid the basis for this volume and form the majority of its chapters. Three additional chapters were added to allow the book to more comprehensively cover this theme.

Despite the monumental rolling events that began within months of the conference, this book is as relevant now as the conference was then. Quite simply, the ideological underpinnings of the self-styled 'Jewish democratic state' remain unchanged. The ideological foundations of the state were never in danger of being challenged by the J14 protests; the Netanyahu-led government was never under threat of being violently overthrown; and there was never a concern that the protests would turn bloody or thrust the country into a civil war. (Nor was there any great expectation that the MENA uprisings would launch another Palestinian intifada with the potential to fundamentally change the Palestinian-Israeli situation.) The different trajectory of Israel's protests had more to do with who participated in the protests, whose voices were represented, and what was being protested against.

In a state that privileges the rights of Jewish Israelis (and Jews around the world) over its Palestinian citizens – who are denied full democratic rights – most of the (Jewish Israeli) protesters did not really have to engage comprehensively with the issues of rights and justice, and the denial thereof, that confront Israel's Palestinian citizens. Purportedly wishing to foster an inclusive movement, the protest leaders, mostly young professional Ashkenazi Jews, ensured that the concept of social justice remained divorced from the politics of the occupation. Although the protest movement created limited space for Palestinian citizens of Israel to vent their grievances and frustrations, it never really held out the possibility of becoming an inclusive space because of the way in which exclusionary state practices were reflected in the movement's leadership, demands and ethos. Furthermore, the organisers' insistence on ignoring or marginalising the issue of the occupation of Palestinian lands ensured the protests' exclusivity and moderation. Most Israelis who came out onto the streets were privileged by their Jewish identity, and posed no threat to the core ideology of the Israeli state. The protests thus represented another space for pretending democracy and entrenching ethnocracy.

In reality, developments in Israel over the past few years have further entrenched Jewish ethnic nationalism. Even though the historical inequality between Mizrahi and Ashkenazi Jews has been reduced to some extent, the situation for Palestinians – both citizens of Israel and those living under occupation – has deteriorated. Israel's narrowing of the political and civil rights of Palestinian citizens of Israel, including home demolitions and forced removals, is making the possibility of justice for Palestinian citizens even more remote. Furthermore, the state – in league with settlers – is making the lives of Palestinians in the Occupied Palestinian Territory miserable, and is doing all in its power to nullify the possibility of an end to the occupation. Within this broad context, this volume is timely and extremely relevant.

A note on racial terminology

The book contains a number of references to South African apartheid racial classifications. We are extremely uncomfortable with using this terminology and recognise its illegitimacy. We acknowledge, however, that any attempt to describe or explain apartheid is forced to refer to these classifications. In order to allow their use but express our objection, no references to these classifications in this book are capitalised. Thus, various chapters use the terms african, indian, coloured and white in reference to the four 'race groups' as determined by the South African apartheid regime. In cases where the words 'African' and 'Indian' refer to the African continent or to the country of India, they are capitalised. The term 'black' is used to refer, in the South African context, to those classified under apartheid as african, coloured and indian; and to the experiential identity of blackness. It is a political category juxtaposed to white; another socially constructed political category. These terms, too, are in lower case. The only exception to this rule is Chapter 8 by Neville Alexander because, as he explains in his chapter, he employs his own orthographic formula in his radical challenging and subverting of race.

Acknowledgements

A project of this magnitude (both the conference and the book) requires the co-operation and input of a number of people. We extend our deepest thanks for the invaluable assistance of: Garth le Pere, for giving seed to the idea of the ethnic state conference – as a follow-up to a conference he had organised three years earlier on Zionism – and for assisting with

Preface

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and Resistance in Divided Societies (1995), *Israelis in Conflict* (2004), *Ethnocracy: Land and Identity Politics in Israel/Palestine* (2006), and *Indigenous (in)Justice* (2012). Founding editor of the journal *Hagar: Studies in Culture, Politics and Place*, Yiftachel serves on the editorial boards of seven international journals, including *Urban Studies* and *Society and Space*. He also chairs B'Tselem, an NGO that monitors human-rights violations in the Palestinian Territories.

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Frequently used acronyms and abbreviations

ANC	African National Congress
BDS	boycotts, divestment and sanctions
COSATU	Congress of South African Trade Unions
CST	colonialism of a special type
EU	European Union
IDI	Israel Democracy Institute
IJC	International Court of Justice
JNF	Jewish National Fund
MENA	Middle East and North Africa
OPT	Occupied Palestinian Territory
PA	Palestinian Authority
PLO	Palestine Liberation Organization
PNF	Palestine National Front
SMaD	settler-majority democracy
SMiD	settler-minority democracy
UK	United Kingdom
UN	United Nations
US/USA	United States of America

INTRODUCTION: PRETENDING DEMOCRACY, LIVING ETHNOCRACY



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Introduction

Pretending democracy, living ethnocracy

Na'eem Jeenah

[There is] a duality in the Israeli state between a democratic facade and a deeper undemocratic regime logic, which facilitates the dispossession, control, and peripheralization of groups that do not belong to the dominant ethno-class. Thus the very nature of the settling ethnocracy, which combines expansion, settlement, segregation, and ethno-class stratification, militates against the effectiveness of challenges emanating from peripheral groups. The selective openness of the regime, which allows for public protest, free speech, and periodic elections, is largely an illusion: the ethnocratic regime has arranged itself politically, culturally, and geographically so as to absorb, contain, or ignore the challenge emerging from its peripheries, thereby trapping them in their respective predicaments.

– Oren Yiftachel¹

Most Jewish Israelis and the Zionist movement across the world like to insist that Israel is what they call a 'Jewish and democratic state'. Without realising the irony or contradiction in this, they insist that both epithets – Jewish and democratic – equally apply to the Israeli state. Further, while other states define themselves for themselves and their citizens, Israelis go beyond that and insist that others recognise their state's 'Jewish and democratic' character too. The refusal of the Palestinian Authority (PA), for example, to agree to recognise Israel as a 'Jewish state' has been a sticking point in negotiations between the PA and the Israelis.

Israel is, in fact, as much a Jewish state and a democratic state as apartheid South Africa was a white state and a democratic state. Israel is not exclusively Jewish, and Israel is certainly not democratic. Both are pretences upheld for political purposes – for the sake of obtaining legitimacy for the Israeli state and as an attempt to mask a form of ethnic cleansing. The truth is that Israel is an ethnocratic state; perhaps a more accurate description would be 'a Jewish and ethnocratic state'.

Pretending democracy

The notion of Israel as a 'Jewish and democratic state' requires some interrogation. The defenders of this notion go to great lengths to attempt to show that

the terms 'Jewish' and 'democratic' are not contradictory and that a state can be ethnically based and still be democratic.² It is a difficult argument to sustain.

Even though the notion of Israel being 'Jewish and democratic' has been used by certain Israelis since the late 1960s (mostly by the Israeli 'left'), the official use of this phrase is just two decades old. Israel's 1948 Declaration of Independence mentions its Jewish character but makes no mention of democracy. It does, however, claim that the state will 'ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex' and that it would 'guarantee freedom of religion, conscience, language, education, and culture' – stipulations which, in themselves, convey a sense of democratic values – except that they have not been implemented in reality.

Israel does not have a constitution as Amnon Rubinstein explains:

Initial attempts to institutionalize a written constitution were met with the staunch opposition of both Ben-Gurion, who believed that constitutional restraints would imperil the interests of the nascent state, and the religious parties, who objected to any secular constraints on their political power.³

Furthermore, delaying the adoption of a constitution also allows Israel to avoid declaring its borders, thus allowing it to change – whenever convenient – where it believes its boundaries lie. However, the state's collection of Basic Laws serves as the closest thing to constitutional law. In 1992, Israel discussed and then adopted two new Basic Laws after which the term 'Jewish and democratic' entered official discourse. Known as Basic Law: Human Dignity and Liberty and Basic Law: Freedom of Occupation,⁴ these basic laws – especially the first – ostensibly provide for the human rights of Israeli citizens. Thus, for example, retired president of the Israeli supreme court and professor of law, Aharon Barak, argues that the two laws 'serve as the Israeli equivalent of the Bill of Rights'.⁵ The first clause of the Human Dignity and Liberty Law states: 'The purpose of this Basic Law is to protect human dignity and liberty, in order to establish in a Basic Law the values of the State of Israel *as a Jewish and democratic state*' (emphasis added). The oxymoronic phrase was introduced in order to satisfy both the Jewish religious parties (which insisted on 'Jewish' being explicit) and the Jewish secular parties (which insisted that 'democratic' be explicit).⁶

As demonstrated by Avi Shlaim in Chapter Two of this volume, debate on this and other issues between religious and secular parties and 'right'

and 'left' wing parties in Israel is often little more than rhetoric. He examines internal debates among the founders of Zionism and suggests that

from the beginning, the politicians of the left have tended to be less explicit, less straightforward, and less frank about the causes of the conflict than the politicians of the right. There was always a gap between the lofty Zionist ideals of developing the country for the benefit of all its inhabitants and the reality on the ground. With some exceptions, the tendency on the left has been to fill this gap with hypocrisy and humbug and to place the blame for all the conflict and strife on the other side... Neither camp has a monopoly on sanctimonious self-righteousness, but this quality tends to be more pronounced and pervasive on the left.

Despite what Zionists of whichever political affiliation would like to have us believe, the democratic nature of Israel is certainly in question. Even a Zionist such as Amnon Rubinstein – who helped to draft the 1992 Basic Laws – while strongly arguing that the state is both Jewish and democratic, concludes:

Can Israel be both Jewish and democratic? The answer... is far from simple. If we have the courage to try and establish some sort of honorable modus vivendi with our Arab neighbors; if we take upon ourselves the responsibility of reinterpreting the Jewish tradition in a liberal, tolerant manner; and, most importantly, if we have the foresight to elevate Jewish nationalism to a concept fully compatible with a true democratic ethos – then the answer, ultimately, is 'yes'.⁷

In short, according to Rubinstein, the answer is 'no': Israel is *not* a democratic state – even if he pretends that it is. His conditions for it becoming democratic are, however, flawed. The state's potential democratic character has nothing to do with peace with its neighbours or with liberal interpretations of Judaism; the critical issue is that Jewish nationalism cannot be made 'fully compatible with a true democratic ethos' and an ethnic state cannot be a democratic state. His is an attempt at a conceptual manipulation whose objective is the obfuscation of reality in a manner that might allow the Zionist project to continue its subjugation and discrimination of Palestinian people while pretending to uphold the same liberal values of democracy and freedom as other liberal democracies do. Indeed, the liberal clauses of the Basic Law on Human Dignity and Liberty are nullified by that first clause which reaffirms Israel as an ethnic state.

Sammy Smootha, too, attempts, with great difficulty and tortuousness, to argue the case for Israel as a democracy. 'Israel-proper,' he writes

qualifies as a political democracy on many counts. These include universal voting rights, a multi-party system, fair elections, change of governments, civil rights, independent judiciary, free press, civilian authority over the army, and popular and elite support for democratic institutions.⁸

For Smootha, the Occupied Palestinian Territory (OPT) is irrelevant because, with the establishment of the Palestinian Authority, Israel supposedly no longer has responsibility for the West Bank and Gaza⁹ – a patently false understanding.

Smootha does admit, however, that Israel cannot be regarded as a liberal democracy, but names it an 'ethnic democracy' instead. He defines an ethnic democracy as

a system that combines the extension of civil and political rights to individuals and some collective rights to minorities, with institutionalization of majority control over the state. Driven by ethnic nationalism, the state is identified with a 'core ethnic nation' not with its citizens. The state practices a policy of creating a homogenous nation-state, a state of and for a particular ethnic nation, and acts to promote the language, culture, numerical majority, economic well-being, and political interests of this group. Although enjoying citizenship and voting rights, the minorities are treated as second-class citizens, feared as a threat, excluded from the national power structure, and placed under some control.¹⁰

In general, Smootha's definition of an ethnic democracy (or ethnic state) is correct. But he suggests that in such a state 'minorities are allowed to conduct a democratic and peaceful struggle that yields incremental improvement in their status,'¹¹ a claim that cannot be sustained when applied to Israel. Indeed, despite all their struggles over the past six decades, Palestinians in Israel have found that, over the past few years, there has been an incremental deterioration in their status. Smootha attempts to distance Israel (and ethnic democracies in general) from *Herrenvolk* democracies such as apartheid South Africa. 'While it is general [sic] agreed that *Herrenvolk* democracy is not democratic,' Smootha writes, 'ethnic democracy is located somewhere in the democratic section of the democracy-non-democracy continuum.'¹² Israel, according to him

is not a *Herrenvolk* democracy, because citizenship is extended to all and the minorities are not excluded from the benefits of citizenship and are allowed to avail themselves of democracy for furthering their interests. Ethnic democracy is a system in which two contradictory principles operate: 'the democratic principle' making for equal rights and equal treatment of all citizens, and 'the ethnic principle,' making for fashioning a homogenous nation-state and privileging the ethnic majority.¹³

Like most people who argue that Israel is both Jewish and democratic, Smootha does not explain how a state can 'privileg[e] the ethnic majority' while, at the same time, provide 'equal rights and equal treatment' for disadvantaged minorities. In particular, he does not show how Israel's treatment of its Palestinian citizens might be regarded as 'equal' to its treatment of Jewish citizens.

The pretence, however, is not contained only in the word 'democratic' in the phrase 'Jewish and democratic', but also in the word 'Jewish'. In Israel, both the Jewish demographic majority as well as Jewish cultural hegemony (insofar as a homogeneous culture actually exists) have been illegally imposed on the Israeli state and society.

It is true that in 1947 the United Nations General Assembly passed Resolution 181 which partitioned the British Mandate of Palestine into a 'Jewish state' and an 'Arab state' – giving Jews, who made up thirty per cent of the population, fifty-six per cent of the land. Although the intention of Resolution 181 seems to have been to create a 'Jewish state', no explanation was ever offered as to what this meant. Nevertheless, as UN General Assembly Resolution 194 clarifies, Israel was founded on the illegal expulsion and forced flight of close to 700 000 indigenous Palestinians who became refugees and who have the right to return to their homes (and, thus, become Israeli citizens). Indeed, according to Resolution 194, Israel cannot legitimately be a member of the UN if it does not grant that right to the refugees. More than six decades later, Israel still refuses to allow refugees the right of return. If they were to return, the refugees – who in 2012 numbered between five and seven million – would transform the demographics of the state such that Jewish people would no longer be in a clear majority. But even without the refugees, over twenty per cent of Israel's population are not Jews, a fact that undermines the state's claim of being 'Jewish'.

Israel complicates matters by claiming that while non-Jews might be citizens of the state, they do not have Israeli nationality. In fact, Israel does not recognise the notion of an Israeli 'nationality'; people can be citizens of the Israeli state but they do not have Israeli nationality.¹⁴ The only 'nation' that Israeli law recognises is the 'Jewish nation'.¹⁵ This means that Jews from around the world have a claim on Israel which even its indigenous citizens do not. This claim is best illustrated by the Law of Return which grants Jews from around the world the right to claim citizenship of the state. Thus, for Israeli-Zionists, the notion of a 'Jewish state' refers to a state belonging to all Jews around the world and not to all its citizens or even its Jewish citizens. This unique formulation of nationality helps to justify discriminating against non-Jewish (especially Palestinian) citizens while privileging Jewish citizens and Jewish non-citizens.

This becomes all the more ridiculous when we consider the evidence provided by Shlomo Sand (in Chapter One)¹⁶ that, actually, there is no such thing as a Jewish nation and that the idea of Jews being genealogical descendants of the original Israelites is a fallacy. His fascinating survey should give everyone reason to pause before diving headlong into any discussion about Jewish nationhood.

In Chapter Thirteen, Ronnie Kasrils uses an analytical tool applied to South Africa by the South African Community Party to show that 'Israeli democracy' is a 'charade', and that Israel's polity should more correctly be characterised as 'colonialism of a special type' (CST). 'The importance of the CST characterisation,' he argues,

is that it demolishes the dangerous charade that Zionism has established a democratic system and is itself a national liberation movement; it refutes the claims that both Israel and the Palestinians should therefore be treated equally by the international community in a balanced and even-handed manner. The CST thesis lifts the veil to expose the true nature of this historic conflict as a struggle for land and national rights, and for full national determination and independence for the Palestinian people. CST exposes the charade of Israeli democracy.

An ethnocratic state

In apartheid South Africa, a vibrant democracy existed for the white hegemonic population, while black citizens were, initially, entirely excluded from democratic processes. South Africa was what Smootha and Pierre van den

Berghe call a 'Herrenvolk democracy'. Van den Berghe defined it as 'a parliamentary regime in which the exercise of power and suffrage is restricted, de facto and often de jure, to the dominant group.'¹⁷ It was a regime that was 'democratic for the master race but tyrannical for the subordinate groups'.¹⁸

Israel, while similar to South African apartheid in its objectives, mechanisms and styles of disadvantaging its Palestinian citizens, is also different in certain other respects. Israel allows weakened ethnic groups a degree of political participation in its system, but in a manner that renders such participation more an illusory fig-leaf form of democracy rather than one of real, effective and equal participation. In this regard, the limited political participation Israel offers its Palestinian citizens is similar to South Africa's then-ruling National Party's attempts to provide a pretence of democracy in the early 1980s by including indians and coloureds in the political system as junior partners. The few indians and coloureds who were co-opted into this system never had any real power – although admittedly they had more than Palestinians in the Knesset enjoy – but they allowed the Afrikaner nationalist government to proclaim itself 'democratic'.

Having expanded on Van den Berghe's understanding of Herrenvolk democracy which he used to describe South Africa, we might be tempted to use his analysis of divided societies to think of Israel – where Palestinian citizens can vote and be elected to the Knesset but are comprehensively discriminated against in a variety of ways. Van den Berghe defines an ethnic democracy as a state that allows limited democratic (particularly political) rights to minorities or subordinate groups but where there is a clear privileging of the dominant ethnic group over others.¹⁹ While this is similar in some respects to Smootha's definition,²⁰ Smootha's claim that Israel's ethnic democracy is substantively different from a Herrenvolk democracy requires some scrutiny. John McGarry explains that, in fact, there is not much difference between the two.

[Herrenvolk democracy and ethnic democracy] are similar in profound ways. Both are at odds with fundamental principles of civic equality and democratic accountability, and both are at best incomplete or partial democracies. In practice, the minority may be excluded just as effectively in an ethnic democracy as in the Herrenvolk variety.²¹

The Herrenvolk nature of the Israeli state is further emphasised when one considers the status and treatment of Palestinians in the Occupied Palestinian Territory – the West Bank (including Jerusalem) and Gaza. This is well

illustrated in a report by South Africa's Human Sciences Research Council entitled *Occupation, Colonialism, Apartheid? A Re-assessment of Israel's Practices in the Occupied Palestinian Territories Under International Law*.²² Max Du Plessis' discussion of this report in Chapter Five should clarify that the term 'ethnic democracy' is inadequate for describing Israel.

Israel is a good case of an ethnocracy where one ethnic group controls the levers of power (political, economic and social in Israel's case) while allowing certain privileges for other ethnic groups in a disproportionate, unequal and disadvantageous manner. In that it is not much different from apartheid South Africa and its *Herrenvolk* democracy.

Nadim Rouhana argues in Chapter Six that achieving democratic citizenship in Israel is not possible 'without reconciliation, and equality, the cornerstone of modern democratic citizenship, [and] cannot be meaningfully realised without the tangible and intangible rectification of past injustices.' Within Israel, Rouhana says, Jewish and Palestinian citizens 'share citizenship...but not equality'.

Oren Yiftachel insists that 'Israeli polity is governed not by a democratic regime, but by an "ethnocracy", which denotes a non-democratic rule for and by a dominant ethnic group, within the state and beyond its borders.'²³ His reasons for this conclusion are: i) that Israel's organisation of social space 'is based on a pervasive and uneven ethnic segregation', and ii) that Israel is a state without boundaries. He notes that 'regardless of the historical reasons behind [the] reality [of operating without boundaries], it simply does not comply with a basic requirement of democracy – the existence of a *demos*.'²⁴ A *demos* is, by definition, a body of citizens within a given territory. In Israel, however, the main organising political principle is the *ethnos* – which suggests common origin. Israel, therefore, Yiftachel argues, should be characterised an ethnocracy. He defines ethnocracy as being built on two key principles: 'First, ethnicity, and not citizenship, is the main logic around which state resources are allocated; and second, the interests of a dominant ethnic group shape most public policies.'²⁵

While Zionists attempt to reconcile the notion of a Jewish state with that of a democratic state, for Yiftachel a 'duality... between a democratic facade and a deeper undemocratic regime logic' facilitates the dispossession and marginalisation of subjugated ethnic groups. Israel's 'selective openness... which allows for public protest, free speech, and periodic elections, is largely an illusion.'²⁶ Thus, the positive and mitigating democratic features that Smootha points to are illusory and are employed to maintain the status quo and limit challenges to the system.

It is necessary analytically to differentiate between the features of a system and its structure, Yiftachel reminds us, because some ethnocracies, while characterised by democratic *features* such as regular elections, media freedom, an independent judiciary and even some human rights legislation, have an underlying state *structure* that remains undemocratic.²⁷ Thus marginalised people may wage numerous struggles challenging the state's features – trying to gain better media freedom, fairer elections or better education for example – while allowing the ethnically based hegemonic political structure to go unchallenged.

The hegemonic order reflects and thus reproduces the interests of the dominant ethno-classes by representing the order of things in a distorted manner as legitimate and moral and by concealing its oppressive or more questionable aspects. This public perception is maintained by preventing, deflecting, or ridiculing discussions that challenge the structure of the regime and by limiting public debate to its more shallow features.²⁸

Having argued this, however, Yiftachel is cautious not to take the next step. He emphasises that such ethnocratic states 'are not authoritarian, as they extend significant (though partial) political rights to ethnic minorities'.²⁹ This, he says, distinguishes ethnocracies from *Herrenvolk* states. However, even apartheid South Africa eventually extended 'significant (though partial) political rights' to black people. The freedoms available to black people in South Africa were less than those available to Palestinian Israelis, but coloureds and indians *were* given their own chambers in parliament and the right to elect their own representatives; black people were able to operate their own media and did – even if they were constantly monitored by members of the police's security branch; the judiciary was probably more independent than the Israeli one; and by the 1980s, trade-union rights were granted to black unions. Black South Africans never lived under military law while their white compatriots lived under civil law – as was the case in Israel for Palestinians and Jews until 1966. Nor were black people in South Africa ever subjected to military courts for security cases – as is still the case for Palestinian East Jerusalemites.

Uri Avnery's poignant description of the lot of Palestinian citizens of Israel would be familiar to most black South Africans – except for the fact that South African laws were quite explicit in their discrimination against black people.

An Arab citizen feels at every turn, since childhood, that he has no part in the state, that he is, at most, a tolerated resident. In every government office, police station or place of work, even in the Knesset, he is treated differently from a Jew, even in times of quiet...[N]umerous laws accord special privileges to persons 'to whom the Law of Return applies', without mentioning 'Jews' specifically. This is so self evident, that all state officials act accordingly without even being aware of it. The 'Israel Land Authority' distributes land to Jews, not to Arabs. All state development projects include Jews only.³⁰

Thus, any discussion of the nature of the state has to go beyond the political and civil rights mentioned above and must, of necessity, also include considerations of socio-economic rights. It would be difficult to make the case that in terms of socio-economic rights Palestinian citizens of Israel are better off than black people were in apartheid South Africa. Among the discriminatory practices that Palestinian citizens of Israel face are ongoing land dispossession, the destruction of their homes, living in 'unrecognised villages' with no basic infrastructure, a disproportionately small proportion of the state's development budget and lower education expenditure than for Jewish children. In light of such systematic discrimination, the extension of political rights does not detract from the Herrenvolkish nature of the state.

There is also a perverse aspect to the idea of the 'Jewish state'. For example, in terms of this notion, most of the land in Israel cannot be owned by indigenous Palestinians (indeed, a large part of it was confiscated from them). Furthermore, the land is supposed to belong to the 'Jewish nation' spread all over the world and including those who have never been to Israel and may even have no desire to do so. In Chapter Twelve, Heidi Grunebaum, writing from the perspective of a Jew who lives outside of Israel, reflects on how Jews and Jewish communities around the world are recruited to support Zionism and the Israeli project of land dispossession. She examines the role of the Jewish National Fund (JNF) with particular reference to the 'South Africa Forest', which was planted over the destroyed Palestinian village of Lubyia. She uses her personal story to illustrate the perversity of indigenous people's villages being destroyed and replaced with forests that 'belong' to people in another country, simply because the latter happen to see themselves as part of the same ethnic group as the one that holds state power. Grunebaum reveals the material connection between the JNF's activities on the one hand, and the forced

dispossession and ongoing displacement of Palestinians inside present-day Israel and in the Palestinian diaspora.

Indeed, Israel, in its ethnic focus on Jews – most of whom live outside Israel – is in some respects worse than a *Herrenvolk* democracy like apartheid South Africa because the Israeli state admits that its purpose is to serve the needs of members of an ethnic group within its borders (citizens) and beyond its borders (non-citizens).

Israel's claims to be any kind of democracy become even more fallacious when consideration is extended to inhabitants of the OPT. While much of this introduction has largely ignored inhabitants of the OPT, it is dishonest to discuss the Israeli state while neglecting to discuss this issue. There are two reasons for this. First, Israel has extended its citizenship to about half a million inhabitants of the OPT – beyond its 'borders' – and, in fact, regards the areas they occupy as part of Israel. I refer here, of course, to Jewish settlers in the West Bank (including East Jerusalem). Second, Palestinian inhabitants of the OPT have been living under Israeli governance for more than four decades and are, in reality, part of the same body politic as West Bank settlers and Israeli citizens. That Israel defines their official citizenship status differently does not detract from that fact.

When we include inhabitants of the OPT – both illegal Jewish settlers as well as indigenous Palestinians – into our analysis of Israel, we realise that the *Herrenvolk* nature of the Israeli state is far worse than initially suggested and even more extreme, in fact, than apartheid South Africa. An examination of the discrimination visited upon Palestinians in the OPT in relation to Jews in the OPT (and Jews in Israel) strengthens the notion of a determined ethnocracy whose attempts at achieving ethnic purity do not stop even at ethnic cleansing.

In Chapter Four, Yiftachel builds on his analysis of Israel as an ethnocracy to show how the contradictions of such a state

have led to a process that is deepening the 'separated and unequal' conditions that prevail in Israel/Palestine. Under these conditions, Jews enjoy relatively 'equal' and privileged political and legal positions, while Palestinians are divided into a series of protogroups, each enjoying different and inferior packages of rights and capabilities.

He argues that Palestinian-Israeli politics is entering a new phase, 'framing a situation of "neither two states nor one"'. This new phase, according to Yiftachel,

Generate[s] a process I have termed ‘creeping apartheid’ – an undeclared yet structural process through which new, oppressive sets of political geographic relations are being institutionalised for Jews and Palestinians living under the Israeli regime between Jordan and the sea. This process illuminates the merging of the colonised West Bank, the besieged Gaza Strip and Israel proper into one system, ultimately controlled by the Jewish state, which increasingly appears to bear the characteristics of apartheid.

While Palestinians are the main victims of Zionism and Israeli ethnocracy, Zionism also has its Jewish victims and there is differentiation within Jewish society that favours Ashkenazim and marginalises Mizrahim. Although the gap between these communities has reduced over the past few years, the problem persists, as Smadar Lavie illustrates in Chapter Seven.

Living up to the reality

It is clear that, whatever Israel’s claims might be about being a democracy, it is an ethnic state designed to serve only a particular ethnic group – while barely tolerating the presence of others – and akin in its policies and practices to a *Herrenvolk* state. This discussion is not just an academic one. As Max du Plessis shows in Chapter Five, Israel as a state is guilty of violating international law and its practices in the OPT amount to occupation, colonialism and apartheid – as defined by the relevant international legal instruments. Du Plessis calls on the international community – and on individual states – to consider the possibility of taking the matter of Israel’s ‘occupation, colonialism and apartheid’ to the International Court of Justice in order to force Israel to comply with international norms and law.

As Adam Habib points out in Chapter Eleven, a state that insists on maintaining its ethnocratic form and flagrantly violates international law with impunity has no place in a world that seeks to govern itself, and relations between states, on the basis of mutually agreed legal instruments. Habib argues that

the formation of two states – Israel and Palestine – is unsustainable for it goes against the integrationist impulses of our world. It may be partially expedient for the moment, but in our globalising world no ethnic state – Jewish or Muslim – is sustainable in the long term.

In Chapter Nine, Andre Zaaiman warns that if it continues unchallenged, Israeli/Jewish ethnic nationalism could have far-reaching consequences for other states.

[T]he ethno-genealogical variant still seems to be the most active form of nationalism. The consequence for many societies with diverse populations if the ethno-genealogical variant becomes dominant, or even more acceptable, is that it may threaten the often-fragile social cohesion and commitment to inclusivity of civic-territorial models. It may also give a new impetus to cultural communities all over the world, and even here in Africa and South Africa, to begin to agitate for secession, for an 'own' state, for a state that includes only 'us' and is cleansed of 'others'.

As successive governments and Israeli society in general move further to the right, there is a danger that Israeli-Jewish herrenvolkism will become even more deeply entrenched. Such an eventuality poses a threat not only to citizens of Israel and inhabitants of the OPT, but also to regional and global stability. Preventing this is crucial. The urgent need is to move beyond ethnic nationalism towards a solution that sees Israeli Jews and Palestinians living together with dignity, full citizenship rights and a proud sense of nationhood.

Daryl Glaser, in Chapter Ten, points out that the Palestinian-Israeli situation is at an impasse; no solution seems to be able to deliver 'an acceptably just, yet realistically obtainable, peace'. He examines the Palestinian-Israeli context in comparison with South Africa (from 1948 to 1993) and Ulster (from 1921 to 1972). All three cases, he says, are ethnically exclusionary and hierarchical with limited franchise. 'It is tempting to believe,' Glaser concludes,

that, alone amongst the settler-minority democracies, the Israeli-Palestinian case is truly irresolvable. Yet a way will have to be found. It is, at any rate, clear what the minimum practical justice requires: equal respect and rights for all Jewish and Arab residents in the area of the British Mandate, and for Palestinian refugees.

It is not in dispute, says Ran Greenstein in Chapter Three that Israel 'is an ethnic state, in which Jews occupy a privileged position, and from which all Palestinians – including citizens of the state – are excluded, albeit to different degrees'. What is important, he believes, is that Palestinian citizens of Israel have a particular role and responsibility – different from Palestinians in the OPT or in the diaspora – because of their 'strategic political location'. He argues that 'they are the only ones who can organise to change [Israel] from within.' However, he cautions that this is a task

that should be shared. 'Their minority status means that such change will not happen through their efforts alone. An alliance with progressive Jewish forces is essential. This is likely to be a long and difficult struggle but not an impossible one.'

On a more optimistic note, Fouad Moughrabi in Chapter Sixteen indicates that 'radical hope' is to be found in young Palestinians who are finding new forms of resistance, including works of art, literature, music and film. 'The old projects,' he says

predicated on the idea of the 'nation' for which many people have given their lives, have reached a dead end. This is as true of the Zionist project as it is of the so-called Palestinian national movement. The first has clearly morphed into an ugly apartheid system, while the latter has become little more than a grotesque show in Ramallah.

The battle between 'Zionist colonialism and the Palestinian natives', Moughrabi argues, has been 'characterised by a dismal failure of politics'. He asserts that Palestinian youth now acknowledge, that they, with those Jews who may be touched by their message, 'share the same destiny and therefore must forge a common future'.

Moughrabi does not elaborate on what kind of 'common future' that might be, but in Chapter Seventeen, Ali Abunimah takes up that challenge, proposing that the South African experience could be useful as Palestinians and Israelis forge a common future. Positing a 'one-state solution', he suggests that the most common objection to this option comes from Israeli Jews who claim they will be 'swamped' by a Palestinian majority. But the South African experience, Abunimah argues, 'suggests that Israeli-Jewish opposition may, in fact, be relatively malleable, and need not stand in the way of a peaceful transition to a democratic state that offers citizenship and equal rights to all who live between the Jordan River and the Mediterranean Sea'. Entrenched attitudes need to be shaken, he suggests, and calls for support for the global boycotts, divestment and sanctions (BDS) campaign – 'in solidarity with the indigenous struggle and a positive future vision' – to break down these attitudes.

Differing from the position taken by Abunimah and others, Oren Yiftachel, in Chapter Four of this book, proposes a binational state as an alternative. He calls for

a serious re-examination of socially progressive binationalism as a possible peaceful order for the future of Israel/Palestine. Binationism can be accommodated in various political settings, including urban and communal, as well as on a state and international scale. In my work I find an Israeli-Palestinian confederation (possibly leading to a federation), with a joint economy, capital city and open borders, and with fair accommodation of the Palestinian refugees, to be the most appropriate.

Be that as it may, the real challenge will begin when Palestinians and Israeli Jews have to live together. Will Israeli Jews be able to survive physically and culturally in a situation where they are a minority in a future Palestinian-Israeli state? Jewish tradition and experience show that there is nothing odd about a thriving Jewish minority. In Chapter Fifteen, Steven Friedman debunks the Zionist assumption that Jews require a Jewish state in order to survive and to be protected from the threat of Nazi-type genocidal violence. 'These assumptions are a core obstacle to a just and democratic resolution of the Palestinian conflict. Jewish adaptation to minority status in a single state is not nearly as impossible as current analyses would have us believe,' he argues. His chapter highlights 'alternative understandings of Jewishness and of Jewish safety which, given a significant increase in political pressure on Zionism, could see precisely the shifts in strategy which justifications for the status quo say are impossible.'

Building on this theme, Azzam Tamimi points out in Chapter Fourteen that, in the past, countries ruled by Muslims became 'safe havens for Jews who were oppressed in non-Islamic lands', including a large number of Jews who had been banished from Spain by Christian armies in the fifteenth century and who sought refuge in Muslim countries in North Africa and Ottoman Turkey. Until under a century ago, Tamimi says,

the Muslim world saw Jewish religious communities as an inseparable part of the social and cultural lives of the Islamic societies in which they lived. In the Arabic-speaking regions, no one spoke of Arabs, Jews or Christians, but only of Arabs who were Muslim, Christian or Jewish.

Tamimi argues that Zionism's definition of itself as a Jewish project is one of the obstacles to peace and a settlement between Palestinians and Israelis.

The continued association of Israel with Jews, and Jews with Israel, only reinforces the conviction of many Muslims that the Middle East conflict between the Palestinians and the Israelis is indeed a religious one. Many Arabs and Muslims find it difficult to believe that anti-Zionist Jews, who not only criticise Israel but also refuse to recognise its legitimacy, exist.

Pointing to the Palestinian Islamic Resistance Movement (Hamas), Tamimi notes that its leaders are clear that they are not ‘fighting Jews because they are Jews! We are fighting them because they assaulted us, they killed us, they took our land and our homes, they attacked our children and our women, they scattered us.’ He proposes a long-term truce (hudnah) between Palestinians and Israelis in order to restore some ‘normality’ to people’s lives while an ultimate resolution is arrived at.

According to Tamimi, a post-Zionist scenario is being debated within Hamas, and the dominant view is

one that envisages Palestine, or a united Middle East, with a Jewish population but no political Zionism. This vision is inspired by the South African model of reconciliation, which ended apartheid but allowed all South African communities to live together in one country.

In Chapter Eighteen, Salim Vally and I take as our point of departure the idea that a one-state solution offers the only peaceful and just future for Palestinians and Israeli Jews. In responding to calls for a South Africa-type solution in Palestine-Israel, we urge caution, saying that one of the big failures in the South African context has been that the national question has not successfully been addressed. In making this argument, we refer to Chapter Eight in which Neville Alexander articulates the challenges posed to South Africa by its failure to address the national question successfully. Alexander argues that any discussion about nationhood must go beyond ‘race’ and ethnicity and also consider issues of class. Poverty, he argues, is one of the major obstacles to building the South African nation. Following from this, Vally and I argue that even a one-state solution in Palestine-Israel will fail if the national question is not addressed by Palestinians and Israeli Jews, and that attempts to start building a new nation should begin without delay.

The themes and issues addressed in this introduction are covered more extensively in the four parts of this book. Part One, ‘Israel and its founding myths’, includes chapters by Shlomo Sand and Avi Shlaim, which lay the

basis for the discussions that take place in the following sections about Jewish nationhood, nationalism and Israeli statehood. Sand's chapter, 'The invention of the Jewish people', critically examines the notion that Jews belong to a single nation with a common ancestry. Thus, he looks for the origins of the 'Jewish nation' and suggests that the 'Jewish nation' is, in fact, a recent invention created mainly for political purposes. In his chapter, 'Zionism, the founding fathers and the Palestine Arabs', Shlaim carefully examines the views of Ze'ev Jabotinsky and David Ben-Gurion (representing the Zionist right and left wings respectively) and some of the issues that characterised the debates among early Zionists. He concludes that on matters of principle, strategy and tactics there were few significant differences between the right and the left.

In Part Two, 'The ethnic state and its victims', five chapters cover issues related to the victims of the Israeli state. The chapters in this part do not seek merely to describe these victims and their plight, but also attempt to provide ways of progressing beyond this point. Ran Greenstein's chapter, 'Israel as an ethnic state: Descriptions, paradigms and prescriptions', explores the meaning and implications of the notion that the Israeli state is an ethnic state. In his chapter, Oren Yiftachel builds on his contention set out in earlier writings that Israel is an ethnocracy, and argues that the contradictions of ethnocracy in Israel have led to what he calls 'creeping apartheid' – a deepening of the 'separate and unequal' conditions prevailing between Jews and Palestinian citizens. Max du Plessis, who was a member of a research team that investigated Israel's actions in the OPT from the perspective of international law, writes in his chapter about the findings of that study. He outlines the conclusions of the study – that Israel's actions in the OPT constitute occupation, colonialism and apartheid. Du Plessis therefore argues that a strong case could be made against Israel in the International Court of Justice. In his chapter, 'Reconciling history and citizenship', Nadim Rouhana writes about the situation of the Palestinian minority in Israel, and argues for a process of reconciliation – including redress for past injustices – between Jewish and Palestinian citizens of Israel that could help ensure justice for Israel's Palestinian citizens. The final chapter in Part Two looks at an often neglected group of people: Jewish victims of Zionism. Smadar Lavie, in 'Staying put: Crossing the Israel-Palestine border with Gloria Anzaldúa', speaks particularly about the discrimination and disadvantage faced by Mizrahi Jewish citizens of Israel and argues that the Israeli state, in the main, serves only the Ashkenazi elite.

Part Three, 'Comparative ethnic nationalisms', compares Jewish nationalism in Israel with other forms of nationalism. In a chapter focusing exclusively on South Africa, 'The unresolved national question in South Africa', Neville Alexander discusses the national question and examines the history of the South African nation and the challenges it currently faces. While focussing on South Africa, the chapter provides much food for thought for those trying to succeed where South Africa seems to be failing. Andre Zaaiman writes about his personal experience of growing up a white child indoctrinated with the propaganda and myths of Afrikaner nationalism. His chapter, 'Afrikaner and Jewish nationalisms' compares the nationalisms of South Africa and Israel respectively. In 'Israel, South Africa, Ulster and the dark side of democracy', Daryl Glaser discusses the three different contexts in relation to being 'settler democracies'. Adam Habib's 'Reflections on South Africa and Israel/Palestine' responds to Glaser's chapter, and deals with the role of the international community in both the South African and Israeli cases. He goes on to show why ethnic states are unsustainable. Heidi Grunebaum's chapter examines South African Zionism, particularly through the Jewish National Fund's mobilisation of South African funds for the Zionist project in Israel. In 'Israel and apartheid South Africa: When democracy for a minority becomes a special form of colonialism', Ronnie Kasrils applies the analytical lens of 'colonialism of a special type' – previously employed by the South African Communist Party – to analyse the Palestinian-Israeli situation.

Part Four looks at the theme 'Beyond ethnic nationalism', and points to possible future solutions to the Palestinian-Israeli question. While several other chapters also hint at possible solutions or post-Zionist futures, the chapters in this section look more closely at this question. Azzam Tamimi presents a Palestinian Islamist perspective on future possibilities and, in particular, examines the futures that would be preferred by the Hamas movement. Steven Friedman argues that the notion of Jews living as a minority in a future single state with a Palestinian majority is not a shocking prospect. In 'Another state of being: Jewish identity and minority status in a democratic Palestine', he shows that Jews have been very adept at living as minorities and have often thrived in such situations. Jewish survival, he asserts, does not hinge on a 'Jewish state'. Fouad Moughrabi suggests that 'Radical Hope' lies in the cultural activities of young Palestinians who reflect steadfastness against Israeli occupation and demonstrate the potential for Palestinian and Jewish youth to reaching agreements about

shared futures. In his chapter, 'Towards a one-state solution in Palestine/Israel: What South Africa can teach us', Ali Abunimah suggests that the South African experience of ending apartheid might be useful in pointing towards a resolution to the Palestinian-Israeli question. He argues for a peaceful transition to a single democratic state in Palestine-Israel that offers citizenship and equal rights to all its inhabitants. In the final chapter, Salim Vally and I aim to take the one-state argument made by Abunimah, Friedman and others a little further. Assuming that, ultimately, a one-state solution will be found by Palestinians and Israeli Jews, we argue that a major part of making such a solution work successfully for all its people will be a careful and thorough resolution of the national question. In 'Beyond ethnic nationalism: Lessons from South Africa', we suggest that the project of building a new nation may be even more important for Palestinians and Israelis than resolving the question of statehood.

Notes

1. Yiftachel (2000: 728).
2. See, for example: Barak (2002); Rubinstein, (2010); and Yakobson and Rubinstein (2008).
3. Rubinstein (2010).
4. For the text of the Basic Law: Human Dignity and Liberty, 1992 see www.knesset.gov.il/laws/special/eng/basic3_eng.htm, and for Basic Law: Freedom of Occupation, 1992, see www.knesset.gov.il/laws/special/eng/basic5_eng.htm.
5. Barak (2009).
6. Rubinstein (2010).
7. Rubinstein (2010).
8. Smooha (1997: 205).
9. Smooha (1997: 202).
10. Smooha (1997: 199–200).
11. Smooha (1997: 200).
12. Smooha (1997: 199).
13. Smooha (1997:200).
14. The title of Israeli law 5712 of 1952 is often incorrectly translated as the 'Nationality Law'. It should be the 'Citizenship Law' as it refers to citizenship and not to nationality.

15. See the chapter in this volume by Na'eem Jeenah and Salim Vally.
16. See also, Sand (2009).
17. Van den Berghe (1967: 29).
18. Van den Berghe (1967: 19).
19. Van den Berghe (2002).
20. See Smootha (1990, 1997).
21. McGarry (2002: 453).
22. Human Sciences Research Council (2009).
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PART ONE: ISRAEL AND ITS FOUNDING MYTHS



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Chapter One

Racial purity and Jewish origins¹

Shlomo Sand

The State of Israel... will foster the development of the country for the benefit of all its inhabitants; it will be based on freedom, justice and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture.

–Declaration of the Establishment of the State of Israel, 1948

A candidates' list shall not participate in elections to the Knesset if its objects or actions, expressly or by implication, include one of the following: (1) negation of the existence of the State of Israel as the state of the Jewish people; (2) negation of the democratic character of the State; (3) incitement to racism.

– Clause 7A, Basic Law, The Knesset, 1985

Before the great secularisation in Europe, Jewish believers clung to the religious axiom that sustained them through times of trouble: they were the 'chosen people', God's sacred congregation, destined to 'illuminate the nations'. In reality, they knew that, as minority groups existing in the shadow of other religions, they were subordinated to the stronger powers. The passion for proselytising that had characterised these communities in the past had all but disappeared through the ages, largely from fear of the dominant religions. Over the centuries, thick layers of distrust and fear of propagating their faith padded the self-identification of the believers and bolstered the communal isolation that eventually became their distinguishing mark. In the Middle Ages, the exclusive belief in the 'unique nation that dwells apart' also served to prevent large-scale desertion to the other monotheistic religions.

Like other minorities in periods of stress and hardship, the Jewish faith communities were knit together by group solidarity. In peaceful times, the rabbinical elites exchanged information about precepts and religious norms and various aspects of their rites and ceremonies. For all the great differences between Marrakech and Kiev, Sanaa and London, differences not only in the secular sphere but even in religious practices, there

was always a common core of rabbinical attachment to the Talmudic law, a shared concept of deliverance from exile and a profound religious devotion to the holy city Jerusalem, whence salvation would come.

The spread of secularisation in Europe eroded the status of the religious frameworks and undermined the authority of the rabbis, their communities' traditional intellectuals. Like members of other religious, cultural and linguistic groups, those who discarded their Jewish religion were swept up in the momentum of modernisation. The depiction in Zionist theoretical and historical writings notwithstanding, they were not the only ones struggling to assimilate into the national cultures that were rising at this time. Perhaps peasants in Saxony, Protestant shopkeepers in France and Welsh labourers in Britain were affected differently by the rapid changes in ways of life and migratory upheavals, but they suffered no less than did the Jewish believers. Entire worlds disappeared, and assimilation into general economic, political, linguistic and supracultural systems demanded a painful renunciation of long-standing customs and mores.

Despite the particular difficulties experienced by Jews in some countries – France, the Netherlands, Britain, Germany – most of them became 'Israelites', meaning French, Dutch, British or Germans of the Mosaic faith. They became eager supporters of the new states; some even stressed their national identity and took great pride in it. Rightly so, as they were among the pioneer speakers of the national languages and consolidators of the national cultures, largely because of their concentration in the cities. They were thus among the first British, French and Germans (it would not be an exaggeration to say that the poet Heinrich Heine was a German before Adolf Hitler's grandfather became one, if indeed he ever did). During the First World War, which witnessed the peak of mass nationalism in Europe, they set out to defend these new homelands and probably also killed, without notable qualms, Jewish soldiers fighting on the other side of the front line.² German Jewish reformists, French Jewish socialists and British Jewish liberals almost all volunteered to defend their newfound collective property: the national state and its territory.

Strangely enough, Zionists also became involved in the war culture that focused on Europe's national boundaries, despite their belief in a separate national entity. At that time they were still too weak to offer an alternative identity that could defuse the fighting spirit arising from the varied nationalist attachments of their supporters and activists. In fact, from 1897, the year of the first Zionist Congress, until the end of the

First World War, Zionism was a feeble and insignificant movement in the world's Jewish communities and often yielded to the national demands of the gentiles (in Germany in 1914, Zionists accounted for less than two per cent of Germans of Jewish origin, and in France even less).

The Zionist idea was born in the second half of the nineteenth century in Central and Eastern Europe, in the lands between Vienna and Odessa. It grew uneasily on the fringes of German nationalism and reached the lively cultural marketplaces of the Yiddish population. In fact, for all its marginality, Zionism was part of the last wave of nationalist awakening in Europe and coincided with the rise of other identity-shaping ideologies on the continent. It can be viewed as an attempt at collective assimilation into modernity, exactly like the surrounding national enterprises that were then starting to take shape.³ While a significant number of its ideological progenitors belonged more or less to the Germanic culture – Moses Hess, Theodor Herzl, Max Nordau – those who developed, disseminated and implemented its theories came from the intelligentsia of the widespread Yiddish-speaking population, which was densely packed into the cities and towns of Poland, the Ukraine, Lithuania, Russia and Romania.

These regions were characterised by a secular, modern Yiddishist civilisation such as did not exist in Jewish communities elsewhere, neither in London nor in Marrakech. It was this distinctive culture, rather than religion, that incubated the protonationalist and nationalist ferment. It was from this semi-autonomous world that young intellectuals arose. Finding their paths blocked to the centres of high culture – academic careers, free professions, civil service – many became socialist revolutionaries and democratic innovators and a few became Zionists.

At the same time, the distinctive presence of the Yiddish communities fuelled a revival of anti-Jewish feeling. The mosaic of nationalities emerging in Eastern Europe sought to eject the conspicuously different Yiddishist entity from its midst. Aside from the repression and traditional restrictions in the Tsarist regime and the Romanian kingdom, in the 1880s a wave of popular pogroms with emergent nationalist features shocked millions of Jews and accelerated their mass migration westward. Between 1880 and 1914, some two and a half million Yiddish-speaking Jews transited through Germany toward receptive countries in the west. Some of them ended up on the safe shores of the American continent; less than three per cent of them chose to migrate to Ottoman-ruled Palestine and few of them stayed there.

One of the by-products of this large population shift was that it indirectly exacerbated the traditional hostility that simmered beneath the surface in Germany, the scene of the transit. This fierce hatred, much of which is still unexplained, would play out in one of the most horrendous acts of genocide in the twentieth century. In the process, it showed that there was no direct correlation between technological progress or cultural refinement and morality.

Modern antisemitism flourished throughout the world of European modernity, but its manifestation in western and southern Europe, as well as on the American continent, was quite different from its features and expressions in Central and Eastern Europe. The uncertainties and inner struggles of the young national identity created anxiety and fear almost everywhere. The cultural problems involved in the construction of nationalities were precisely those that turned the long-standing 'dislike of the unlike' into an integral part of the new democratic mass politics. Any form of difference – different skin pigmentation, distinctive dialects or unfamiliar religious customs – irritated the bearers of the new national consciousness who were struggling to define and demarcate themselves as unambiguous collectivities. The level of abstraction in constructing the imagery of the nation demanded a definitive and unequivocal characterisation of those who would not be a part of it. The nation, therefore, was imagined as an ancient, extended 'blood' family, and it was convenient that its nearest neighbour would also be its most threatening enemy. Since Christian civilisation had depicted the Jewish believer for hundreds of years as the ultimate other, it was a simple matter for the new collective identities to pick this element out of the old tradition and install it as the border post that marked the new national community.

In territories where civil and political nationalism prevailed, it was possible to enclose and seal off the ancient hatreds that were part of the Christian heritage and to include the ostracised Jew in the new identity. The US Constitution, the French Revolution, the laws of Great Britain were sufficiently amenable, forming a stable foundation for the development of inclusive tendencies, which through gradual struggle achieved a hegemonic position in the public arena. In these and other countries, Jews became integral parts of the nation.

However, this successful process was not free from turmoil and regression. The highly dramatic Dreyfus Affair in France in 1894 was a good historical example of the nonlinear, uncertain evolution of modern

nationalism. The outburst of intense antisemitism that extruded Dreyfus from the body of the 'Gallo-Catholic' nation exposed the tensions between conflicting sensibilities. Did the Jewish officer belong to the French nation, or was he a representative of an alien people who had insinuated itself from the East? To preserve its greatness, should France not be fundamentally Christian? Might not the Italian origin of Emile Zola account for his antipatriotic support for the 'traitorous' Jewish captain? These and similar questions roiled the national imaginary and set off vibrations that shook the country to its foundations.

The tide of antisemitism was ultimately turned by the political and intellectual circles that understood the value of the civil sphere and the persecuted army officer was 'reattached' to the French nation. Supporters of the ethnoreligious national identity did not disappear – they arose again during the Nazi occupation and some persist to this day. But culturally inclusive nationalism was invigorated after the Dreyfus Affair, and despite the horrific relapse during the Second World War, it continued to entrench itself through the twentieth century.

Similar, though not identical, transitions occurred in a less dramatic and more nuanced way in the USA (during the McCarthy period, for instance), in Great Britain and in most of the nation states on both sides of the Atlantic. Antisemitism, like other forms of racism, did not become extinct in these countries, but it ceased to be a meaningful signifier in the trends that directed the continued development of the collective supra-identity.

On the other hand, ethnobiological and ethnoreligious ideologies triumphed in the regions between Germany and Russia, Austria-Hungary and Poland, where they continued to determine the nature of nationalism for many years. The dominance of this anxious and exclusionary mindset enabled the anti-Jewish code of hatred to continue as one of the main indications of the 'true' supra-identity. Although antisemitism was not always publicly demonstrated and the ink used in the printed media and textbooks was not always spiked with venom, Judeophobia continued to insinuate itself into the crucial nodes of identity.

One reason for this was that defining the national entity in those rambling, branching cultural spaces required a great many 'past' indications of a common origin and any element that might challenge the myth of a unifying source provoked revulsion and fear. Even nationalists who were confirmed atheists resorted to traditional religious symbols in their self-

definition, while respected clergymen accepted the principle of 'blood' as a boundary marker.

In other words, just as Germanity at some stage needed abundant Aryanism to define itself, so Polishness needed Catholicism and Russianness needed Orthodox pan-Slavism to swaddle their national identities and imagery.

Unlike the Jewish religious reform movement or the liberal and socialist intellectual groups that sought participation in the emergent national cultures, Zionism borrowed extensively from the dominant nationalist ideologies flourishing in the lands of its birth and infancy and integrated them into its new platform. It included traces of German Volkism, while Polish romantic nationalist features characterised much of its rhetoric. But these were not mere imitations – it was not a case of an agonised victim taking on some features of his smiling executioner.

While the secular, semi-nationalistic outlook of the Bund, the widespread leftist Jewish movement, demanded cultural autonomy for the 'people of Yiddishland' rather than a single independent polity for all the Jews of the world, educated Zionists emulated the other nationalists in Europe and assumed an ethnoreligious or ethnobiological identity to conceptualise their self-definition. Seeking to build a bridge that could connect Jewish believers – mainly former believers whose languages and secular customs were polyphonous and diverse – they were unable to build on the lively popular mores and turn them into a homogeneous, domesticated modern culture, as the Bund tried to do. To achieve their aim, the Zionists needed to erase existing ethnographic textures, forget specific histories, and take a flying leap backward to an ancient, mythological and religious past.

While the chosen 'history' ostensibly matched the religious imaginary, it was not really religious, because Jewish monotheism was not grounded in historical evolutionary time. Nor was it wholly secular, since it ceaselessly utilised materials from the old eschatological faith in order to structure the new collective identity. We must remember that Jewish nationalism had undertaken an almost impossible mission – to forge a single *ethnos* from a great variety of cultural-linguistic groups, each with a distinctive origin. This accounts for the adoption of the Old Testament as the storehouse of national memory. In their urgent need to establish a common origin for the 'people', the national historians embraced uncritically the old Christian idea of the Jew as the eternal exile. In the process, they erased and forgot the mass proselytisation carried out by early Judaism, thanks to which the religion of Moses grew enormously, both demographically and intellectually.

For Jewish nationalists, Judaism ceased to be a rich and varied religious culture, and turned into something hermetic, like the German *Volks* or the Polish and Russian *narod*, though with the unique characteristic that it comprised an alien, wandering people, unrelated to the territories it inhabited. In this sense, Zionism became something of a negative reflection of the anti-Jewish image that accompanied the rise of collectivities in eastern and central Europe. This negative reflection correctly identified the national sensibilities in this region and their physical proximity kept their menace in full view.

Zionism's basic assumptions were correct and, as noted before, it borrowed many elements from the nationalism in which it was embedded. At the same time, it adopted the most exclusionary and conceited aspect of the Jewish religious tradition, the divine commandment that 'the people shall dwell alone, and shall not be reckoned among the nations'.⁴ The ancient ideal of an elect, holy, monotheistic congregation was reinterpreted in an isolationist, secular plan of action. Zionism from its inception was an ethnocentric nationalist movement that firmly enclosed the historical people of its own invention, and barred any voluntary civil entry into the nation its platform began to design. At the same time, any withdrawal from the 'people' was depicted as an unforgivable offense and 'assimilation' as a catastrophe, an existential danger to be averted at all costs.

No wonder, then, that to bind together the frangible secular Jewish identity, it was not enough to write a history of the Jews, so culturally disparate, so chronologically fragmentary. Zionism had to resort to another scientific discipline, that of biology – which was conscripted to reinforce the foundation of the 'ancient Jewish nation'.

Zionism and heredity

Heinrich Graetz can be depicted as the father of ethnonationalist historiography.⁵ He adopted the assumptions of German historians about the nation being born in primeval time as a changeless entity that advances through history in a linear fashion. But his personal 'spirituality' prevented him from adopting excessively materialistic interpretations of history. His friend Moses Hess, in some ways the first proponent of Jewish nationalism whose assumptions deviated from tradition, needed a good deal of racial theory to dream up the Jewish people. He absorbed the dubious scientific ideas of his time, especially in physical anthropology, and integrated them into a novel theory of identity. He was probably the first, but

certainly not the last, to follow this ideological course in the formation of Jewish nationalism.

The thirty-five years that had passed since the publication of Hess's *Rome and Jerusalem* in 1862 had seen a substantial rise in the number of Zionists in Europe and in the number of antisemites. The racist pseudoscience that flourished in all of Europe's laboratories of learning during the imperialist era of the late nineteenth century percolated through ethnocentric nationalism into the central public arenas and became part of the ideological texture of the new political parties. Among them was the young Zionist movement.

The new biological science captivated so many because all the different Zionist camps upheld the concept of the nation as an ethnic entity, albeit with varying intensity. The idea of heredity helped justify the claim to Palestine – that ancient Judea that the Zionists ceased to view as a sacred centre from which deliverance would come and, by a bold paradigmatic shift, revamped as the destined national homeland of all the Jews in the world. The historical myth required the appropriate 'scientific' ideology – for if the Jews of modern times were not the direct descendants of the first exiles, how would they legitimise their settlement in the Holy Land, which was the 'exclusive homeland of Israel'? The divine promise would not have sufficed for nationalism's secular subjects, who had revolted against the passive tradition that left the conduct of history to the Almighty. If justice was not to be found in religious metaphysics, it had to be found, if only partially, in biology.

Nathan Birnbaum, perhaps the first Zionist intellectual – it was he who coined the term 'Zionism' in 1890 – picked up the argument where Hess left off:

You cannot explain a people's particular mental and emotional distinction except by means of the natural studies. 'Race is all', said our great fellow national Lord Beaconsfield [Benjamin Disraeli]. The distinction of the people stems from the distinction of the race. The variety of races accounts for the great diversity of nations. It is because of the differences between the races that the German or the Slav thinks differently from the Jew. It is this difference which explained why the German created the *Song of the Nibelungen* and the Jew, the Bible.⁶

As Birnbaum saw it, neither language nor culture, but only biology, could account for the rise of nations. Otherwise it was not possible to explain the existence of the Jewish nation, whose progeny were immersed in various

national cultures and spoke different languages. Tribes and nations existed 'because nature has produced, and keeps on producing, diverse races of men, just as it creates different seasons and climates.'⁷ When Houston Stewart Chamberlain published his famous racist book *The Foundations of the Nineteenth Century* in 1899, Birnbaum viewed it with understanding, rejecting only the British thinker's erroneous antisemitic position. The Jews were not 'a bastard race', as Chamberlain had argued – they had actually preserved their lineage by marrying only among themselves and were, moreover, an integral part of the white race.

Although Birnbaum's part in the rise of the Zionist movement was not insignificant, it is not necessary to dwell on it too long when tracing the evolution of the Jewish nationalist idea. Though he coined the term 'Zionist', he was not one of the leading thinkers of the new nationalism and he eventually quit the movement and became Orthodox.

Theodor Herzl, the true founder of the Zionist movement, was less certain and could not decide if Jews arose from a homogeneous source. His writings include some comments that reflect a clearly ethnocentric outlook and others that contradict it. The term 'race' occurs several times in *The Jewish State*, but it is used in the manner of the period, as another word for 'people', sans biological connotations.

One evening in London, Herzl dined with the Anglo-Jewish author Israel Zangwill, who would later join the Zionist movement. In his personal diary that day, the handsome leader expressed dismay that the writer, who was famously ugly, thought that they shared the same origin.

He obsesses about the racial aspect, which I cannot accept. It's enough for me to look at myself and at him. I say only this: We are a historical entity, a nation made up of different anthropological elements. That will suffice for the Jewish state. No nation has racial uniformity.⁸

Herzl was not a theoretician and scientific issues did not interest him beyond the demands of his immediate political work. He aspired to reach his goal without being overloaded with an excess of historical or biological arguments.

It was Max Nordau, Herzl's confidante and right hand and the person who conducted all the early Zionist congresses, who gave a more meaningful ideological dimension to the rise of Jewish nationalism. This gifted journalist and essayist was better known than Herzl in the intellectual

arena of fin de siècle Europe. As the author of the popular book *Entartung* (Degeneration), he was one of the best known among the conservatives seeking to warn the world against the dangers of modern art, homosexuality and mental illness, all of which were associated with physical racial degeneracy.

His encounter with Herzl turned him into an enthusiastic Zionist, but he had earlier been concerned about the physical and mental condition of the Jews. Born Simon Maximilian (Meir Simha) Sudfeld (south field), he exchanged his 'lowly Jewish' name for a proud European one, Nordau (north pasture). Like the Hungarian-born Herzl, he was from Budapest and, like him, also sought to identify himself as a German in every sense. The ugly antisemitism of the 1880s and 1890s halted the integration of this Eastern European Jew into the German nation. Like other Jews who found personal assimilation problematic, he opted for collective integration into the modern world – namely, Zionism. This was not, of course, the way Nordau himself thought of it. As he saw it, although anti-Jewish hatred had created nothing, it had awakened the dormant consciousness of an existing race and revived its sense of its own distinction. The failure of 'German-isation' led him to adopt a position of Jewish exclusivity, with the pessimistic conclusion that a race cannot be exchanged but only improved.

This Zionist leader, convinced that the Jews shared a homogeneous biological origin, wrote about the 'blood ties that exist in the Israelite family'.⁹ But he wondered whether the Jews had always been physically small or had been made shorter by the conditions of their lives, which caused them to be weak and degenerate. Zionism opened exciting vistas for the improvement of the race by means of agricultural labour, accompanied by gymnastics and bodybuilding in the open air of the ancestral homeland. His famous speech at the second Zionist Congress, in which he first spoke of the lost 'muscular Jewry', expressed a passionate longing for a brawny nation-race.¹⁰ 'In no other race or people can gymnastics fulfill such an important educational function, as it must do among us Jews,' he wrote. 'It is needed to straighten our backs, in body and character alike.'¹¹ For the ancient blood to be revived, the Jews needed a soil, and only Zionism could give them that.

If Nordau failed to become an 'authentic' German, he did succeed in becoming an original Zionist Volkist. The essentialist romanticism fostered in various channels of German culture was blended into the ideological project that began to guide the new national ideology.

Nordau was in some ways a hesitant Volkist. By contrast, Martin Buber, who was for several years the editor in chief of *Die Welt* (The World), the Zionist movement's main organ, was a bold and consistent Volkist. The philosopher of religious existentialism, who would later become a man of peace and strive to bring about a Jewish-Arab state in Palestine, began his nationalist career as one of the principal moulders of the Jewish people as a 'blood community' (*blutsgemeinschaft*). Buber visualised the nation as a biological chain of generations from antiquity to the present and felt the blood connection rising from an unfathomable past. There is a fair amount of Kabbalistic vagueness in the way he phrased it:

[B]lood is a deep-rooted nurturing force within individual man... the deepest layers of our being are determined by blood... our innermost thinking and our will are colored by it. Now he finds that the world around him is the world of imprints and of influences, whereas blood is the realm of a substance capable of being imprinted and influenced, a substance absorbing and assimilating all into its own form... The people are now for him a community of men who were, are, and will be – a community of the dead, the living, and the yet unborn – who, together, constitute a unity.

That his substance can, nevertheless, become a reality for the Jew is due to the fact that his origin means more than a mere connection with things past; it has planted something within us that does not leave us at any hour of our life, that determines every tone and every hue in our life, all that we do and all that befalls us: blood, the deepest, most potent stratum of our being.¹²

This neo-Romantic mysticism of heredity and soil underlay the spiritual nationalism of this charismatic thinker who captivated young Jewish intellectuals in Eastern Europe. Among the Bar Kokhba circle of Buber's followers in Prague was Hans Kohn. This future historian, the first to try to conceptualise critically the issue of 'organic' nationalism, knew his subject well, and the search for hereditary nationalism was the first station in his intellectual biography.

Buber was always a moderate and cautious Zionist, and ultimately his religious humanism overcame the 'ethnic call of the blood'. By contrast, Vladimir (Ze'ev) Jabotinsky, the leader of Zionist revisionism, craved power and detested concession and compromise. Nevertheless, the two Zionist leaders, so unlike in their political perceptions, shared a basic ideological hypothesis: Jews have a distinctive blood that sets them apart from other

people. Jabotinsky, the intellectual father of the Zionist right from the 1930s to the present, had no doubt about this:

It is quite clear that the source of the national sentiment cannot be found in education, but in something that precedes it. In what? – I thought about this question and answered myself: in the blood. And I persist in this view. The sense of national identity is inherent in man's 'blood', in his physical-racial type, and only in that... The people's mental structure reflects their physical form even more perfectly and completely than does that of the individual... That is why we do not believe in mental assimilation. It is physically impossible for a Jew descended from several generations of pure, unmixed Jewish blood to adopt the mental state of a German or a Frenchman, just as it is impossible for a Negro to cease to be a Negro.¹³

For Jabotinsky, nations arise from racial groups ('ethnicities', in today's parlance) and their biological origin forms the psyche (today's 'mentality') of peoples. Since Jews do not have a common history or a common language, or a territory that they have inhabited for centuries, which might have given rise to a common ethnographic culture, one logically concludes as follows:

Natural terrain, language, religion, shared history – all of these do not constitute the essence of a nation; they are merely descriptions of it... But the essence of a nation, the alpha and omega of its distinctive character is its special physical attribute, the formula of its racial composition... in the final analysis when all shells arising from history, the climate, natural surroundings, and outside influences, have been removed the 'nation' is reduced to its racial kernel.¹⁴

'Race' was always a scientific concept for Jabotinsky. He believed that, even if there were no truly pure races, there was a 'racial formula', and he was also convinced that in the future it would be possible, by means of a blood test or glandular secretion, to have a system of classification based on these formulae – the 'Italian race', the 'Polish race' and, of course, the 'Jewish race'. In order to understand the Jews and their conduct in history, it was necessary to discern their origin and especially to preserve their distinctiveness. Without the protective armour of religion, prolonged residence among other nations might dissolve that distinctiveness and cause them to vanish. They should thus gather as soon as possible in a state of their own. Jabotinsky did have a liberal side, and even a surprisingly universalist

worldview (or perhaps not surprising as he had acquired his education in Italy rather than in Germany), but he nevertheless believed in the continued physical/biological existence of the Jewish people, which had sprung from a uniform ethnic and territorial source to which it must return as soon as possible. This was the focus of his entire historical thinking.

It should be pointed out that, despite the impression given by Israeli historiography, the Zionist right did not have a monopoly on the essentialist concept of the nation. Even well-known Marxist Ber Borochov was not free of 'biology'. Zionist socialism shared the same conceptual mechanisms and it, too, padded them with universalist rhetoric, though of a different sort.

Borochov regarded the Palestinian fellahin as an integral part of the Jewish race, a population that could easily be welded into the steel structure of socialist Zionism.¹⁵ His disciples and the future founders of the State of Israel, Ben-Gurion and Yitzhak Ben-Zvi, shared this view until the Arab uprising of 1929. Initially Borochov contended that, since the locals were as much descendants of the ancient people of Judea as were all the world's Jews, they should be taken back into the body of the nation, while becoming acculturated in a secular manner. The Zionist left would never have considered admitting into the warm bosom of the Jewish people Muslim peasants of a different biological origin. But after the 1929 'pogroms' Borochov reversed this opinion with astonishing speed.

Arthur Ruppin was another leftist Zionist whose political outlook was profoundly shaken by the fateful events of 1929. That was when he began to distance himself from the pacifist Brith Shalom (Peace Alliance) group, a movement of intellectuals who strove to reach an accommodation with the Arab population by renouncing the demand for a sovereign Jewish majority in Palestine. Ruppin became convinced – correctly, as it happens – that a national-colonialist clash was inescapable, and became a committed Zionist.

Ruppin is a unique and fascinating figure in the history of Zionism. His career in the Jewish national movement began, like Kohn's, in the little 'blood community' of the Bar Kokhba circle in Prague. But earlier still, in 1900, he took part in an essay competition in Germany on the question, 'What may be learned from the theory of evolution about internal political developments and political legislation?' The first prize went to Wilhelm Schallmayer, a pioneer of eugenics, whom the Nazis would greatly admire after his death. The second prize went to Ruppin for a paper that discussed

Darwinism and the social sciences, and which became, two years later, his doctoral dissertation.

Ruppin was a confirmed Darwinist throughout his life. He believed that the Jewish nation was primarily a biological entity. He was aware that the Jews were not a 'pure race', since in the course of their wanderings in the world they had absorbed alien elements. Nevertheless, they constituted a hereditary unit, which alone gave substance to their national demands.

[T]his very likeness to the Asiatic peoples, from whom they have been separated for 2 000 years, shows that the Jews have remained unchanged, and that in the Jews of today we may say we have the same people who fought victoriously under King David, who repented their misdeeds under Ezra and Nehemiah, died fighting for freedom under Bar-Kochba, were the great carriers of trade between Europe and the Orient in the early Middle Ages... Thus the Jews have not only preserved their great natural racial gifts, but through a long process of selection these gifts have become strengthened. The terrible conditions under which the Jews lived during the last 500 years necessitated a bitter struggle for life in which only the cleverest and strongest survived... The result is that in the Jew of to-day, we have what is in some respects a particularly valuable human type. Other nations may have other points of superiority, but in respect of intellectual gifts the Jews can scarcely be surpassed by any nation.¹⁶

Did all the Jews in the world possess such exceptional mental qualities? The young Ruppin thought they did not and stressed in a footnote, 'It is perhaps owing to this severe process of selection that the Ashkenazim are to-day superior in activity, intelligence and scientific capacity to the Sephardim and Arabian Jews, in spite of their common ancestry.'¹⁷ The Zionist leader was therefore undecided whether the influx of Jews from Yemen, Morocco and the Caucasus to the Land of Israel was a positive occurrence: 'But the spiritual and intellectual status of these Jews is so low that an immigration *en masse* would lower the general cultural standard of the Jews in Palestine and would be bad from several points of view.'¹⁸

This profoundly Eurocentric outlook was even stronger than the concept of the Jewish race and this simplistic Orientalism was common in all the Zionist movements. But while there were doubts about the immigration of Jews from the Arab East, the Ashkenazi Jews were urged to hurry and return to their homeland so as to preserve and protect what was left of their racial distinction. For Ruppin, as for other proponents of

Zionism, assimilation of the Jews among the gentiles was an even greater threat to the existence of the people than was the gentiles' hatred: 'It is certain, however, that by intermarriage the race-character is lost, and that descendants of a mixed marriage are not likely to have any remarkable gifts.'¹⁹ They might eventually eliminate the Jewish *ethnos*. It was Ruppin who expressed in 1923 an idea that was widespread, though not often proclaimed:

I think that Zionism is less than ever justifiable now except by the fact that the Jews belong racially to the peoples of the Near East. I am now collecting material for a book on the Jews to be based on the problem of race. I want to include illustrations showing the ancient peoples of the Orient and the contemporary population and describe the types which used to and still predominate among the peoples living in Syria and Asia Minor. I want to demonstrate that these same types still exist among the Jews of today.²⁰

The first edition of Ruppin's *The Sociology of the Jews*, in Hebrew and in German, appeared in 1930. The time – the beginning of the 1930s – and the places of publication – Berlin/Tel Aviv – were germane to the work's basic rhetoric. The first chapters are entitled 'The Racial Composition of the Jews in Eretz Israel' and 'The History of the Jewish Race outside Eretz Israel'. The author states in the introduction that the subject of the origin of the Jews had preoccupied him for many years and remained unaltered. Alien blood had in fact seeped into the Jewish people, but Ruppin, as the founder of the sociology department at the Hebrew University in Jerusalem, continued to believe that 'most Jews [continue to] resemble in their racial composition their ancient ancestors in Eretz Israel'.²¹

At the end of Ruppin's first volume there are many photographs of 'typically Jewish' heads that provide visual support for the central theses about the distinctive variation and unity among Jews of different communities. The facial features and the shape of the skull supposedly proved that all Jews had originated in ancient Asia. But the racial kinship with Asia did not need to cause anxiety – the cultural inferiority of the natives of Palestine ensured that the Jewish settlers would not intermarry with them.

Ruppin knew the 'Orient' well. In 1908 he was appointed director of the Palestine Office of the central executive of the Zionist movement, with the specific task of buying land. He was the father of Jewish settlement and it would not be an exaggeration to say that Ruppin was to Zionist colonisation what Herzl was to the organised national movement. Although by

1948 only some ten per cent of the land of Palestine had been purchased, Ruppin could claim much of the credit for the agro-economic infrastructure on which Israel was established. He bought land all over the country and set up the central institutions that distributed it. He did much to ensure that the Zionist conquest of the soil would be totally separated from the Palestinian agricultural economy. The biological distinction had to be maintained by systematic 'ethnic' separation.

Ruppin's practical activity did not entirely interrupt his theoretical work. In 1926, he was appointed lecturer in 'the sociology of the Jews' at the Hebrew University in Jerusalem. Thereafter, until his death in 1943, he continued to develop his demographic ideas about the Darwinist struggle of the 'Jewish race'. Right up until the outbreak of the Second World War, he even maintained academic ties with the eugenicist thinkers who were thriving in Germany. Amazingly, the victory of Nazism did not entirely curtail these contacts. After Hitler's rise to power, the Jerusalem lecturer travelled to Germany to visit Hans Gunther, the 'pope' of racial theory, who joined the Nazi party in 1932, was the architect of the extermination of the Gypsies and remained a Holocaust denier to his dying day.²²

This bizarre association with the National Socialists must not be misunderstood. The juxtaposition of ethnocentric nationalism and biology would give rise to a monstrous perversion in the first half of the twentieth century, but most Zionists did not think in terms of blood purity nor did they seek such purification. The project of systematically expelling 'aliens' from their midst never came up, because it was hardly needed, especially since the traditional Jewish religion, though no longer a hegemonic religious belief, was still useful in part as the confirmation of a Jewish identity. The secular Zionists continued to recognise, though not to celebrate, religious conversion. It should be remembered that some of the race proponents – from Hess through Nordau to Buber – were married to gentile women of 'alien blood'.²³

The purpose of Jewish biology was to promote separation from others, not actually to be purified of them. It sought to serve the project of ethnic nationalist consolidation in the taking over of an imaginary ancient homeland.

Moreover, most if not all of the Zionist supporters of the blood theory rejected the explicit and deterministic hierarchy of 'racial groups'. In their outlook, the theory about superior and inferior races was marginal. To be sure, there was no shortage of praise and adulation for Jewish genius,

no shortage of swaggering about its extraordinary qualities (at times, this resembled antisemitic stereotypes). But uttered by a helpless, persecuted minority, this was perceived as more ridiculous than threatening, pathetic but not dangerous.

It should be noted, however, that the Jewish blood theory was not held exclusively by the handful of leading thinkers quoted above. It was popular in all currents of the Zionist movement and its imprint can be found in almost all its publications, congresses and conferences. Young intellectuals of the movement's second rank copied and distributed it among the activists and supporters and it became a kind of axiom that inspired dreams and imaginings of the ancient Jewish people.²⁴

The concept of Jewish heredity, and even the theory of eugenics associated with it, was especially prominent among the scientists and physicians who joined Zionism. Raphael Falk's bold book *Zionism and the Biology of the Jews* recapitulated their story in detail.²⁵ Dr Aaron Sandler, a leading Zionist in Germany who emigrated to Mandatory Palestine in 1934 and became the physician of the Hebrew University in Jerusalem, knew that there were no pure races but argued that the Jews had, in effect, become a racial entity. On the other hand, Dr Elias Auerbach, who settled in Haifa back in 1905, was convinced that the Jewish people had always been a pure race and that Jews had not intermarried with gentiles since the time of Titus. Dr Aaron Binyamini, who became, after his arrival in Palestine, the physician of the famous Gymnasia Herzliya, continued to measure and weigh his students to prove the principles of natural selection. Dr Mordechai Boruchov, who also lived in Mandatory Palestine, argued in 1922 that 'in the struggle between the nations, in the secret, "cultural" war between one nation and another, the winner is the one who ensures the improvement of the race and the biological enhancement of his offspring.'²⁶

During the violent Arab uprising in 1929, Dr Yaacov Zess, another physician, published an essay entitled 'The Hygiene of the Body and the Spirit', in which he emphasised that 'we, more than other nations, need racial hygiene'. Dr Yosef Meir, head of the Labour Federation's Sick Fund who would later become the first director-general of the Israeli ministry of health, agreed with Zess and stated in the 1934 guide to members of the fund, 'For us, eugenics in general, and preventing the transmission of hereditary diseases in particular, is of even greater value than for other nations!'²⁷

The greatest of them all was the well-known physician and biologist Redcliffe Nathan Salaman. This British Zionist, who contributed a great

deal to the Faculty of Life Sciences at the Hebrew University in Jerusalem and was a member of its board of trustees, was also the first to try to transpose assumptions from physical anthropology to genetics, which was then a young science with a brilliant future. An article of his entitled 'The Heredity of the Jews' appeared in the first issue of the pioneering *Journal of Genetics* in 1911. Thereafter, Salaman insisted that even if the Jews were not a pure race, this posed no problem – they were still a solid biological entity. Aside from the fact that the Jew was identifiable by the shape of his skull, his features and his bodily measurements, there was also a Jewish allele that was responsible for this distinctive physical appearance.²⁸ There were, of course, differences between the fair Ashkenazi and the swarthy Sephardi, but the reasons for these were straightforward: the latter had mixed more with their neighbours. The noticeable Ashkenazi fairness sprang from the ancient Philistines, who were absorbed by the Jewish nation in antiquity. Long-skulled European invaders became part of the Hebrew people, hence their whitish appearance. The reason the Yemenite Jews were of smaller stature and submissive character was that 'they are not Jews. They are black, with an elongated skull, Arab half-castes... The true Jew is the European Ashkenazi, and I support him against all the others.'²⁹

Salaman was more of a eugenicist than a geneticist; to him, Zionism was a eugenic project designed to improve the Jewish race. The young people in Palestine seemed to him bigger and stronger: 'Some force has acted on them to produce anew the Philistine type in Philistia'. The mysterious force was the natural selection that reinvigorated the Philistine genes in the genetic stock of the Jews. For Salaman, a similar process was taking place in Britain, where the Anglo-Jews, especially those who donated money to the Zionist enterprise, were acquiring an unmistakable Hittite expression.³⁰

Were it not for the tragic consequences of twentieth-century eugenics, and had Salaman been a marginal figure in the early days of Jewish science in the land of Israel, this text would merely make us smile. But eugenics contributed to grave ideological perversions, and as we shall see, Salaman had too many successors in departments of life sciences in the Jewish State.

The broad Israeli historiography contains a good deal of apologetics excusing the presence of 'biology' in Zionist discourse, noting that this was a common fashion at the end of the nineteenth and first half of the twentieth century. True, many scientific publications, as much as daily

newspapers and popular weeklies, carried articles that confounded heredity and culture, blood and national identity. The term ‘race’ was frequently used by antisemites, but it was also used by the respectable press and in liberal and socialist circles. The Zionist thinkers and promoters who discussed theories of blood and race, the argument goes, did not really take them seriously and certainly could not have anticipated the horrific developments that these ideas would help bring about. But this contextual historical argument, though convenient, is far from accurate.

It is true that borrowing from biology to describe historical developments was a widespread practice before the Second World War, but it must not be forgotten that the physical anthropology that classified races, and the science of blood that complemented it, was contested by scholars. The simplistic transposition of natural laws into human society and culture rang a warning bell among thinkers and scientists in various disciplines. Some of the critics even directly challenged the idea of a Jewish race – the very idea that both antisemites and Zionists were beginning to acclaim. Two prominent illustrations, taken from two ends of the ideological spectrum of the late nineteenth and early twentieth centuries, illustrate the argument.

In 1883, the well-known French scholar Ernest Renan was invited to address the Saint-Simon circle in Paris, which had a good number of French Israelites as members. In the 1850s and 1860s, Renan’s early philological writings had contributed to the consolidation of Orientalism and ‘scientific’ racialism throughout Europe. Racists of all sorts derived much encouragement from his classification of the Aryan and Semitic languages, which he padded with a fair amount of prejudice. Yet apparently the rise of racist antisemitism in the early 1880s worried him, leading him to entitle a lecture ‘Judaism as Race and as Religion’.³¹

Renan’s rhetoric was replete with such terms as ‘race’ and even ‘blood’, but his historical erudition resisted the dominant verbal conventions. By dint of a short, sharp empirical analysis, he joined the outlook of the German historian Theodor Mommsen and attacked the popular views ascribing to Jews qualities of an ancient, closed race of uniform origin.

Christianity, Renan stated, was not the first religion that called on all humanity to believe in a single deity; it was Judaism that began the great campaign of religious conversion. To demonstrate his thesis, he began by surveying the wave of Judaisation during the Hellenistic and Roman period, until Cassius Dio’s famous assertion in the third century CE that the

term 'Jew' no longer applied to people of Judean descent. Jews used to convert their slaves and their synagogues were effective in attracting their neighbours to join them. The masses of Jewish believers in Italy, Gaul and elsewhere were mostly local people who had converted to Judaism.³² Renan went on to talk about the Adiabene kingdom, the Falashas and the vast conversions under the Khazars.

In conclusion, Renan repeated, there is no Jewish race, nor one typical Jewish appearance. At most, self-isolation, endogenous marriage and the long periods in the ghettos had produced certain Jewish types. The Jews' secluded social life had affected their behaviour and even their physiognomy. Heredity and blood had nothing to do with it. This social existence and even the typical occupations had not been freely chosen by the Jews, but imposed on them in the Middle Ages. In many ways the Jews of France did not differ from the Protestants. The Jews, mainly Gauls who had been Judaised in antiquity and become an oppressed religious minority, were liberated by the French Revolution, which put an end to the ghettos. Thereafter, the Jews were part and parcel of the national culture of France and the question of race had no significance whatsoever.

This contribution by the leading French intellectual of his day, the Jean-Paul Sartre of the period, undoubtedly lent significant support to the liberal-democratic camp, which would ultimately roll back the ethnocentric and antisemitic nationalist wave that occurred during the Dreyfus Affair. A similar role, in another political, national and cultural arena, was played by Karl Kautsky.

This 'pope' of the Marxism of the Second International, a methodical thinker of Czech origin, succeeded Marx and Engels at the head of Europe's socialist camp at the end of the nineteenth and beginning of the twentieth century. Though there were antisemitic elements in the organised workers' parties, the movement itself opposed racism and Kautsky was one of its leading guides in the labyrinth of ideological modernisation. In 1914, on the eve of the war, he set out to tackle one of the most pressing questions on the German cultural scene. His book *Judaism and Race* – which appeared in English in 1926 under the title *Are the Jews a Race?* – sought to clarify the issue, which was becoming toxic and troubling.³³

Unlike Marx, Kautsky was free of prejudice concerning Jews and Judaism, but he followed the great German thinker in his materialist view of history. Hence, though he accepted Darwinist theories of evolution, he refused to apply them to the human sphere. All living beings adapt them-

selves to their environment in order to survive, he contended, but humanity also adapts its environment to suit its needs. Thus human labour creates a different kind of evolution in which man's consciousness changes as he works – in other words, in the process of altering his environment.

As Kautsky saw it, many of the scientific theories in the capitalist era were used to justify the ruling classes' domination and exploitation of society. The new ideas about human races went hand in hand with colonialist expansion and were promoted mainly to legitimise the brutal might of the great powers: Why complain if nature, rather than social history, created masters and slaves? In Germany, racist ideology was also applied to power relations in Europe: the descendants of the blond Teutons were gifted, while the Latins, heirs of the dark Celts who rose up in the French Revolution, lacked productive strength. These two races were locked in permanent struggle. But the worst and most dangerous race, according to the new racist scientists, was the Jewish race, a strange and alien element.

Jews were easily distinguished by their appearance: the shape of the skull, the nose, the hair and the eyes. All these were distinctive features of the dangerous wandering race. But Kautsky argued that significant statistics showed that there were variations in these physical features, which made it impossible to use them to identify supporters of the Mosaic religion. For example, Jews from the Caucasus were short-skulled (brachycephalic) and the Jews of North Africa and the Arab countries were long-skulled (dolichocephalic), while among European Jews the shape was average and varied. Jews resembled in appearance the populations among whom they lived far more than they resembled their coreligionists elsewhere. The same might be said of their physical conduct, their gestures and their mental qualities.

If certain Jewish communities had distinctive qualities, these were due to history, not biology. The economic functions to which they were diverted gave rise to a specific subculture and concomitant linguistic markers. But modernisation was slowly eroding the traditional Jewish separation and integrating Jewish believers into new national cultures. Thus, if the arguments of antisemitism were scientifically worthless, so too were those of the Zionist ideology that complemented them with similar reasoning. Kautsky had witnessed the suffering of the Jews of Eastern Europe, especially the persecutions instigated by the Tsarist regime, but as a socialist he could propose only one solution to the problem of antisemitism – the struggle for a new and egalitarian world in which national problems would be resolved and the issue of race would disappear from the political agenda.

In his lecture against the concept of a Jewish race, Kautsky referred, inter alia, to two anthropologists, both of them Americans of Jewish background, who contested both the popular biological interpretation of human history and the racialisation of the Jews. Both Franz Boas, often described as the father of American anthropology, and Maurice Fishberg, who was also a demographer, published important books in 1911. Boas's book, *The Mind of Primitive Man*, sought to demolish the speculative connections between racial origin and culture and Fishberg's *The Jews: A Study of Race and Environment* used an empirical approach to show that the physical form and the origin of the Jews were not uniform on any level.³⁴ Boas's decisive influence on freeing American anthropology from nineteenth-century biological Darwinism has been much written about. No wonder that in Germany, in 1933, excited Nazi students burned copies of the German edition of his book.³⁵

Fishberg's book received less notice, but it too helped to discredit the views of anti-Jewish racists. His research was based on a morphological examination of three thousand immigrants in New York, accompanied by original observations that drew attention to the broad range of characteristics linked to the history of the Jews. His comprehensive work ended with the conclusion that there was no basis for assuming an ethnic unity among modern Jews, nor a Jewish race, any more than one could speak of the ethnic unity of Christians or Muslims, or of a Unitarian, Presbyterian or Methodist race.

Notes

1. This chapter is an excerpt from Chapter Five of Sand (2009). It is reproduced here, with minor stylistic changes, with the kind permission of the author and of Verso Press.
2. Elon (2002: 305–337). French and German Israelites did not demonstrate much sympathy toward the Jews of eastern Europe. Their attitude to the 'inferior' Ostjuden was cold and disdainful and much the same attitude was later shown by the same eastern European Jews toward the 'Eastern Jews' they encountered in Israel.
3. Inevitably, the proponents of Jewish nationalism view it as unique and fundamentally different from other national movements. For example, the historian Jacob Katz (1983: 18) wrote that 'on the threshold of the modern age, the Jews were better prepared for a national movement than any other ethnic group in Europe' – this being a typical outlook

among historians of other national groups. A historian of equal stature, Shmuel Ettinger (1992: 174), maintained that ‘the Jews may be the only known group in history that preserved its national consciousness for thousands of years’.

4. Numbers (23: 9).
5. For more on Heinrich Graetz, see Chapter Two of Sand (2009).
6. From Nathan Birnbaum (1886). ‘Nationalism and Language’, quoted by Doron (1988: 177).
7. From Nathan Birnbaum (1886). ‘Nationalism and Language’, quoted by Doron (1988: 63).
8. Noted by the Zionist leader on 21 November 1895. See Herzl (1998: 258).
9. Nordau (1901/1960: 47).
10. Nordau (1898/1960: 117). This speech was preceded by music from Richard Wagner’s opera *Tannhauser*.
11. Nordau (1898/1960: 187).
12. Buber (1972: 15–16). Later Buber himself tried, not very successfully, to shake off the image of Volkism.
13. Jabotinsky (1936: 143–144).
14. From a Jabotinsky manuscript quoted in Shimoni (1995: 240).
15. For more on this, see Chapter Three of Sand (2009).
16. Ruppin (1913: 216–217).
17. Ruppin (1913: 271).
18. Ruppin (1913: 294). He added: ‘Still, it would be good for small numbers of Jews from Arab countries to come, for they are satisfied with little and can replace the Arab laborers.’
19. Ruppin (1913: 217).
20. Quoted in Bein (1971: 205).
21. Ruppin (1934: 15).
22. Ruppin noted in his diary in August 1933: ‘At Dr Landauer’s suggestion, on 11 August I went to Jena to see Professor Gunther, the founder of the National-Socialist racial theory. We talked for two hours. Gunther was very affable. He argued that he had no copyright on the concept of Aryanism, and agreed with me that the Jews are not inferior, only different, and that the problem must be resolved fairly.’ Ruppin (1968: 223; see also Ruppin 1934: 181–182).

23. Nordau wrote to Herzl on 22 January 1898: 'My wife is a Christian Protestant. Of course, my upbringing makes me oppose any compulsion in matters of sentiment, and to prefer the human over the national. But today I think that it is necessary to place greater stress on the national element, and I regard mixed marriages as quite undesirable. Had I met my wife today, or had I met her in the past eighteen months, I would have resisted mightily my growing feeling for her, and would have told myself that as a Jew I have no right to allow my feelings to dominate me... I loved my wife before I became a Zionist, and I have no right to penalize her for the persecution of our race by her race.' Schwartz (1944: 70).
24. On the presence of Jewish racial theory in Zionist circles, see the excellent work of Rina Rekem-Peled (2000).
25. See Falk, (2006: 97–109). Despite some conceptual weakness, especially in the summary, Falk's book is a treasure trove of information about Zionist and Israeli scientists' views on race and heredity. Regarding British and German scientists who searched eagerly for a Jewish race, see also Efron (1994).
26. Quoted in Falk (2006: 147).
27. Zess and Meir are quoted in Falk (2006: 150).
28. Quoted in Falk (2006: 106–109). An allele is one of several alternative versions of a gene that is responsible for hereditary variation.
29. Quoted in Falk (2006: 129).
30. Quoted in Falk (2006: 180).
31. Renan (1883). This lecture continued the tendency Renan expressed in his lecture the previous year in which he sought to define the nation on a voluntarist basis (see Chapter One of Sand 2009). The lecture on Judaism was also translated into English and published by the American Jewish Committee as a response to German racism in *Contemporary Jewish Record* 6: 4 (1943), 436–448.
32. Renan (1883: 444).
33. Kautsky (1926). The quotes are taken from an online version available at <http://www.marxists.org>, where the entire text can be found. It is noteworthy that while several of Kautsky's works have been translated into Hebrew, this one has not.
34. Boas (1911/1965) is considered a classic. See also Fishberg (2007).
35. On Boas's theories, see Vernon Williams Jr., *Rethinking Race: Franz Boas and His Contemporaries*, Lexington: University Press of Kentucky, 1996.

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Chapter Two

Zionism, the founding fathers and the Palestine Arabs

Avi Shlaim

Zionism was, in origin and in essence, a secular nationalist movement. It emerged in eastern and central Europe towards the end of the nineteenth century. It aimed at a national revival of the Jewish people in their ancestral home after nearly two thousand years of exile. The term 'Zionism' derives from 'Zion' – the biblical name of one of the hills of Jerusalem that has become a synonym for the Land of Israel. Zionism aimed to provide an answer to 'the Jewish problem', which arose as a result of two basic facts: Jews were dispersed in various countries around the world, and in each country they constituted a minority. The Zionist solution was to end this anomalous existence and dependence on others, to return to Zion, attain majority status there and, ultimately, to achieve political independence and statehood.

The two faces of Zionism

Unlike the messianic Jewish movements of the past, modern Zionism was an intensely secular movement, with a political orientation towards Palestine. Modern Zionism was, in fact, a product of late nineteenth century Europe. It had its roots in the failure of Jewish efforts to become assimilated into European society, in the intensification of antisemitism in Europe and in the parallel – and not unrelated – upsurge of nationalism. If nationalism posed a problem to the Jews by identifying them as an alien and unwanted minority, it also suggested a solution: self-determination for the Jews in a state of their own and in which they would constitute a majority. Zionism, however, embodied more than an urge to create a new Jewish state in Palestine. It was also the expression of a desire to create a new society based on the universal values of freedom, democracy, and social justice.

Throughout its history, Zionism has remained deeply contentious and controversial. It evokes passionate loyalty from its followers and equally passionate loathing from its opponents. At the heart of this passion are two very different facets of Zionism. Brian Klug illustrates the point with

a proposition that goes to the crux of the matter. It concerns Zionism and its intrinsic double-sidedness:

Historically, Zionism has seen itself as the national liberation movement of the Jewish people. But, like the Greek god Janus, it has two faces that look in opposing directions at once. That is to say, it belongs to two opposite histories at one and the same time. On the one side, Zionism is part of the history of the Jews, the 'inside outsiders' of Europe, a people whose past includes a catalogue of exclusion, oppression and persecution. On the other side, Zionism was part of the history of colonialism, for it was itself part of European expansion into non-European territory. This is because, unlike the case of other self-styled national liberation movements, there was no existing national territory under occupation; the project was to 'gather in the exiles' and populate another land – Palestine – rather than expel an invader from the homeland. From the beginning, starting with Theodor Herzl's address to the first Zionist congress in 1897, Zionism spoke the language of 'colonization'; although it was colonization for the sake of emancipation, not empire. Seen from *this* side, Zionism historically was a flight from Europe, not an extension of a European motherland. But seen from the *other* side, the Jews who came as settlers were Europeans by any other name. And they were. They were both. They were Jewish as distinct from European, *and* they were European as distinct from Arab.

This double-sidedness gives rise to a double failure in the conversation about Israel and Palestine. On the one hand, 'friends of Palestine' tend to fold the Jewish story into the larger narrative of western imperialism and colonialism. On the other hand, 'friends of Israel' tend to be blind to the Palestinian experience, airbrushing their systematic dispossession out of the picture. If they are to be able to talk with one another without the conversation collapsing, both sides – and sets of friends – need to confront truths about the other side that are either inconvenient (like the Jewish predicament in Europe is for the Palestinian side) or uncomfortable (like the systematic dispossession of the Palestinians is for the Jewish side). Both, moreover, need to grasp the point that the question of justice is complicated by this double history.¹

In its own terms, Zionism was a huge and heroic success story. By any standards, it was one of the most successful national liberation movements of the twentieth century. It set out to build an independent Jewish

state in Palestine and this goal was achieved with the establishment of the State of Israel in 1948. Arab resistance was the most serious obstacle that the Zionist movement encountered on the road to statehood. Consequently, from an early stage, Zionist leaders became preoccupied with what they euphemistically referred to as 'the Arab question'. Conventional accounts tend to portray the Zionist movement and its principal political progeny, the State of Israel, as the innocent victims of Arab aggression. These accounts overlook the fact that violence was implicit in Zionism from the beginning.

Conventional interpretations also emphasise the reactive nature of Israel's behaviour in the conflict with the Arabs. For example Yehoshafat Harkabi, a director of military intelligence, a professor of international relations at the Hebrew University of Jerusalem and an influential writer on the Arab-Israeli conflict, called one of his many books on the conflict *Arab Strategies and Israel's Response*.² The title suggests that Israel has no strategy of its own; that it does not initiate but merely responds to Arab strategies. My own view is that, since the 1920s, the Zionist movement has had a clear strategy for dealing with the Arabs: namely, relying on military power to achieve its political ends. This strategy is sometimes referred to as the strategy of the iron wall. The iron wall is merely a metaphor. But it encapsulates a coherent, consistent, and compelling idea, perhaps even a lethal idea, and it provides the best framework we have for understanding Zionist and Israeli foreign and defence policies from the pre-independence period to the present.

In my book, *The Iron Wall: Israel and the Arab World*, I presented a detailed chronological account of Israeli policy towards the Arab world in the first fifty years of Israeli statehood.³ My purpose in this chapter is to examine the formulation of the strategy of the iron wall in the pre-independence period. It is not, however, merely a recapitulation of the main arguments of my book. In more than a decade since its publication, I have continued to reflect on the ideas behind Israeli foreign policy and to try to make sense of Israeli actions. The hallmark of Israeli statecraft since independence has been a heavy reliance on military force and a remarkable reluctance to engage in meaningful diplomacy to settle the dispute with the Palestine Arabs. My objective here is to examine the internal debate between the founding fathers of the State of Israel about resorting to force in dealing with the Palestine Arabs and to sketch out the intellectual foundations of Israeli foreign policy.

My central thesis in this chapter is that the iron wall was a national strategy to which rival Zionist political camps subscribed during both the pre-independence and the post-independence periods. In other words, it will be argued that there was a remarkable convergence between mainstream Labour Zionism and right-wing Revisionist Zionism when it came to the Arab question and that this convergence persisted after 1948 under the Labor Party, Likud, and Kadima. To say this is not to deny the existence of deep differences between the rival political camps. Clearly, there was always a European-style ideological divergence between the left and right wing on social, economic and political issues. Nor is it to deny that there were also significant differences when it came to the Arab question. Rather, the argument is that while left and right were divided on the territorial aims of Zionism, they were united on the strategy of the iron wall. Revisionist Zionism staked a claim to a Jewish state over the whole of the British mandate of Palestine, including Transjordan. Labour Zionists, on the other hand, accepted the principle of the partition of Palestine into two states, one Jewish and one Arab. At the risk of over-simplification, the two groups may therefore be described as territorial maximalists and territorial realists. Yet – and this is the crucial point – regardless of the extent of their territorial ambition, the two groups understood that, given the absolute Arab rejection of the whole idea, a Jewish state could be established only by force of arms.

Ze'ev Jabotinsky and the iron wall

The principal architect of the iron wall strategy – of dealing with the Arabs from a position of unassailable military strength – was not a policy-maker but an ideologue and the leader of the opposition to the official leadership of the Yishuv, the pre-independence Jewish community in Palestine. Ze'ev (Vladimir) Jabotinsky (1880–1940) was an ardent Jewish nationalist, the founder of Revisionist Zionism, and the visionary of the Jewish radical right. Born in Odessa to a liberal Russian Jewish family, he worked as a journalist in Rome and Vienna and, at an early age, began to put his outstanding skills as a writer, orator and polemicist at the service of the Zionist cause. During the First World War, Jabotinsky persuaded the British to form Jewish volunteer units within the British army and then served as an officer in the 38th battalion of the Royal Fusiliers. In 1921, Jabotinsky was elected to the Zionist Executive, but he resigned two years later, charging that the policies of the Zionist Executive would result in the loss of Palestine. He formed a new

party, the World Union of Zionist Revisionists in 1925 and, before that, the youth movement Betar in 1923. After a decade in opposition to the official leadership of Zionism, he and his supporters seceded from the movement altogether and established the New Zionist Organisation which elected him as its president. Until his death in 1940, Jabotinsky remained uncompromisingly opposed to the partition of Palestine.

One of the ironies of Zionist history in the inter-war era was the convergence between Ze'ev Jabotinsky and Chaim Weizmann, the president of the Zionist Organisation, regarding the role of Great Britain. Like Theodor Herzl, the visionary of the Jewish state, both men believed that the support and protection of a great power were indispensable to the struggle for statehood. Jabotinsky's strong, pro-western orientation stemmed from a distinctive worldview. He rejected the romantic view of the east and believed in the cultural superiority of the West. 'We Jews have nothing in common with what is denoted "the East" and we thank God for that,' he had declared.⁴ The east, in his view, represented psychological passivity, social and cultural stagnation and political despotism. Although the Jews originated in the east, they belonged to the West culturally, morally and spiritually, Jabotinsky argued. The Jewish state was conceived by Jabotinsky not merely as a means of enabling the Jews to return to their spiritual homeland, but also as an offshoot or implant of western civilisation in the east. This worldview translated into a geo-strategic conception in which Zionism was to be locked into a permanent alliance with European colonialism against all the Arabs in the eastern Mediterranean.

The root cause of Jabotinsky's disagreement with the official Zionist leadership was his call for the immediate establishment of a Jewish state and a Jewish army. He was also at odds with Chaim Weizmann and David Ben-Gurion over the borders of the Jewish state to which they all aspired. Jabotinsky insisted on the territorial integrity of Eretz Israel, the Land of Israel, over the entire area of the original British mandate of Palestine, including Transjordan. This maximalist definition of Zionism's aims raised a question: Did the Arabs of Palestine constitute a distinct national entity and, if so, what should be the Zionist attitude towards them and what should be their status within the projected Jewish state? Jabotinsky's answer is contained in two highly important articles he published in 1923. These articles were the political manifesto of the Revisionist movement and provided its fighting slogan. The first article, entitled 'The Iron Wall (We and the Arabs)', begins on a personal note in which Jabotinsky de-

scribes his emotional attitude to the Arabs as one of 'polite indifference'. But he goes on to reject any thought of removing the Arabs from Palestine as 'absolutely inconceivable'. The real question, he says, switching into philosophical mode, is whether it is always possible to achieve peaceful aims by peaceful means. The answer to this question, he insists, depends without a shadow of a doubt on the attitude of the Arabs towards Zionism, not on Zionism's attitude towards the Arabs.

The attitude of the Arabs was clear, he wrote. As most moderate Zionists had already discovered, there was not the slightest chance of gaining the agreement of the Palestine Arabs to turn Palestine into a country with a Jewish majority. The reason for this was that they regarded the country as their patrimony and wanted to remain its sole owners. Jabotinsky sharply criticised those Zionists who portrayed the Palestinian Arabs either as fools who could be easily deceived by a watered-down version of Zionist objectives or as a tribe of mercenaries ready to give up their right to a country in exchange for economic advantage. 'Every indigenous people,' he wrote,

will resist alien settlers as long as they see any hope of ridding themselves of the danger of foreign settlement. This is how the Arabs will behave and go on behaving so long as they possess a gleam of hope that they can prevent 'Palestine' from becoming the Land of Israel.⁵

Having explained the inner logic of Palestinian hostility to Zionism, Jabotinsky turned to the policy implications:

A voluntary agreement is unattainable. So those who regard an accord with the Arabs as an indispensable condition of Zionism must admit to themselves today that this condition cannot be attained and hence that we must give up Zionism. We must either suspend our settlement efforts or continue them without paying attention to the mood of the natives. Settlement can thus develop under the protection of a force that is not dependent on the local population – behind an iron wall that they will be powerless to break through.

This, in a nutshell, was Jabotinsky's policy on the Arab question: to erect an iron wall of Jewish military force. On the need for an iron wall, he claimed there was agreement among all Zionists. The only, slight, difference was that 'the militarists' wanted an iron wall constructed with Jewish bayonets, whereas 'the vegetarians' wanted it to be constructed with

British bayonets. But they all wanted an iron wall. Constant repetition of Zionist willingness to negotiate with the Arabs was not only hypocritical but harmful and Jabotinsky regarded it as his sacred duty to expose this hypocrisy.

Jabotinsky's article concludes with a profession of faith that peaceful co-existence between Arabs and Jews in Palestine would be possible, but only as a result of the construction of an impregnable wall. 'It is my hope and belief,' Jabotinsky declares,

that we will then offer them guarantees that will satisfy them, and that both peoples will live in peace as good neighbours. But the sole way to such an agreement is through the iron wall, that is to say, the establishment in Palestine of a force which will in no way be influenced by Arab pressure.⁶

Labour Zionists were critical of the article and especially of its overt reliance on military might to further the Zionist programme. Jabotinsky therefore wrote a second article, entitled 'The Morality of the Iron Wall', in which he turned the tables on his critics. From the point of view of morality, he said, there were two possibilities: either Zionism was a positive or a negative phenomenon. This question required an answer before one could become a Zionist. And, indeed, all of them had concluded that Zionism was a positive idea, a moral movement with justice on its side. Now 'if the cause is just, justice must triumph, without regard to the assent or dissent of anyone else.'

A frequent argument against Zionism was that it violated the democratic right of the Arab majority to national self-determination in Palestine. Jabotinsky's response was that the Jews had a moral right to return to Palestine and that the enlightened world had acknowledged this right. He then turned to the argument that the iron wall was immoral because it tried to settle Jews in Palestine without the consent of its inhabitants. He pointed out that since no native population anywhere in the world would willingly accept an alien majority, the logical conclusion would be to renounce altogether the idea of a Jewish national home. Even to dream of a national home would then become immoral. The second article concludes with an assertion of the morality of the iron wall: 'A sacred truth, the realisation of which requires the use of force, does not cease thereby to be a sacred truth. This is the basis of our stand towards Arab resistance; and we shall talk of a settlement only when they are ready to discuss it.'⁷

Ze'ev Jabotinsky's analysis cut to the core of the problem. He admitted, as few other Zionist leaders were prepared to, that Arab national aspirations were legitimate, that Arab opposition to Jewish national aspirations was to be expected and that the Zionist project could therefore be realised only unilaterally and by military force. The crux of his strategy, therefore, was to deal with the Arabs from a position of unassailable military strength. But his article also incorporated a sophisticated theory of change. He envisaged two stages. Stage I was to build the iron wall that would compel the Arabs to abandon any hope of destroying the Jewish state. The resulting shift towards moderation and realism on the Arab side was to be followed by stage II, namely: negotiations with the Palestinian Arabs about their status and rights in Palestine.

Although 'The Iron Wall' became the bible of Revisionist Zionism, its real message was often misunderstood, not least by Jabotinsky's own followers. For him, the iron wall was not an end in itself but a means to an end: breaking Arab resistance to the onward march of Zionism. Once Arab resistance had been broken, Jabotinsky posits, a process of change would occur inside the Palestinian national movement, with the moderates coming to the fore. Then, and only then, would be the time to start serious negotiations. In these negotiations, the Jewish side should offer the Palestinians protection, political autonomy and equal civil rights. Civil rights, however, emphatically did not include the right to national self-determination. With characteristic vigour, Jabotinsky asserted: 'To the Palestinian Arabs as individuals – everything; to the Palestinian Arabs as a community – nothing.'⁸

All this presupposed a Jewish majority in Palestine. The fundamental aim of Zionism, to Jabotinsky's way of thinking, was to create a Jewish majority in Palestine in as short a time as possible. The aim, in the words of his biographer, Joseph Schechtman, was 'realistic and stern: the establishment of a Jewish majority in Palestine will have to be achieved against the wish of the country's present Arab majority; an "iron wall" of Jewish armed force would have to protect the process of achieving a majority.'⁹

Jabotinsky's views on 'the Arab question' had a much larger following within the ranks of the Zionist movement than is commonly admitted. Arab rejection of a Jewish state in Palestine, coupled with mounting violence, led the moderate Zionists to the same conclusion that Jabotinsky had reached: they needed military might in order to overcome Arab resistance. It was not only Revisionist Zionists who recognised the logic behind

his argument, but the Zionist movement as a whole. 'The Iron Wall,' in the words of one perceptive observer, should be treated, therefore, as 'a forceful, honest effort to grapple with the most serious problem facing the Zionist movement and as a formal articulation of what did become, in fact, the dominant rationale for Zionist and Israeli policies and attitudes toward the Arabs of Palestine from the 1920s to the late 1980s.'¹⁰

The fundamental difference between Labour Zionism and Revisionist Zionism in the 1920s thus related to the use of force. Labour Zionists were reluctant to admit that military force would be necessary if the Zionist movement was to achieve its objectives. Jabotinsky faced up to this fact fairly and squarely. He went further in suggesting a reversal of the Zionist order of priorities. Labour Zionists wanted to proceed towards statehood by immigration and settlement and accorded a lower priority to the building up of a military capability. Jabotinsky regarded Jewish military power as the key factor in the struggle for a state and he never wavered in this conviction. The Labour Zionists gradually came round to his point of view without openly admitting it. Thus, in the final analysis, the gap was not very great after all: Labour leaders too came to rely increasingly on the strategy of the iron wall.

Jabotinsky's stand had the virtue of honesty, which stood in sharp contrast to the sanctimonious pieties of the Labour Zionists. Because he acknowledged the national aspirations of the Palestine Arabs as legitimate, he had no difficulty in conceding that the Zionist struggle for statehood would be violent. Jabotinsky relates that in 1926 a group of Arabs approached him and said: 'You are the only one among the Zionists who has no intention of fooling us.' Mahmed Azi, an Egyptian intellectual, is reported to have thanked Jabotinsky for not disguising his true intentions.¹¹

David Ben-Gurion and the shift in Zionist strategy

The shift of Labour Zionism towards the premises and strategy of the iron wall is best illustrated by the career of David Ben-Gurion (1886–1973), chair of the Jewish Agency Executive from 1935 to 1948, founder of the State of Israel and its first prime minister. Ben-Gurion and Jabotinsky were bitter political antagonists, but the similarities between them are far from negligible. Both men were ardent and single-minded Jewish nationalists. Ben-Gurion's socialism was a thin veneer for his intense and all-embracing commitment to Jewish nationalism. Socialism for him was more of a rhetorical resource for legitimising the process of building a Jewish

state than a blueprint for a just society.¹² Both Ben-Gurion and Jabotinsky viewed the existence of Arabs in Palestine solely from a Zionist perspective and this led them to define it as a 'problem' or a 'question'. The 'problem' arose only in the context of the Zionist project in Palestine. Once Ben-Gurion's socialist veneer is stripped away, his goals are almost identical to those of Jabotinsky: a Jewish state in Palestine, Jewish independence, the creation of a Jewish majority and the consolidation of Jewish power.

The two leaders dominated the politics of the Yishuv. They disagreed about territorial aims, not about the question of force. Ben-Gurion wanted a Jewish state on the west bank of the River Jordan; Jabotinsky wanted it to extend over both banks. Yet, in both cases, the means to achieve the desired goal was the iron wall. Jabotinsky was the first formulator of this strategy; Ben-Gurion gave it priority from the mid-1930s onwards. It was the socialist leader who turned the development of military power into the Zionist movement's top priority because, not only was he a socialist, he was also a practitioner of *realpolitik*. Ben-Gurion led the struggle for statehood by force of arms because, ultimately, this was the only means of overcoming Arab opposition. In 1948, Ben-Gurion went even further than Jabotinsky would have done in pursuit of the Zionist goal of a Jewish majority: he presided over what might be described as the ethnic cleansing of Palestine with over 700 000 Arabs ending up as refugees.¹³ This was something that Jabotinsky had considered in 1923 to be 'absolutely inconceivable'.

The difference between Ben-Gurion and Jabotinsky on resorting to force lay at a declaratory and public-relations level rather than at an operational one. Ben-Gurion's public pronouncements in the 1920s and early 1930s tended to conform to the official position of the labour movement, which held, firstly, that the Arabs of Palestine did not constitute a separate national entity but were part of the wider Arab nation; and, secondly, that there was no inherent conflict between the interests of the Arabs of Palestine and the interests of the Zionists. Zionism's only conflict, so the socialist argument ran, was a class conflict with the Arab landowners and *effendis* and this conflict would be resolved when the Arab peasants realised that their true interests coincided with those of the Jewish working class.

Privately, Ben-Gurion did not share this class analysis or its optimistic forecast. His approach to the Arab problem was distinguished by unflinching realism. Already, as an agricultural labourer, he recognised the acuteness and danger of the Arab problem. His fears and anxieties deepened

when he realised that Arab opposition was grounded in principle and that it amounted to a root and branch rejection of the entire Zionist enterprise. Thus, at a very early stage in his career, Ben-Gurion concluded that the conflict between Zionism and the Arabs was inescapable and that this presented a formidable challenge.

The Arab Revolt that broke out in April 1936 marked a turning point in the evolution of Ben-Gurion's attitude towards the Arab problem. For the first time, he openly acknowledged the national character of the Arab opposition to Zionism. There was a conflict, a great conflict, he told the Jewish Agency Executive on 19 May 1936, explaining: 'We and they want the same thing: we both want Palestine. And that is the fundamental conflict.'¹⁴ However, recognition of the deep-rooted character of the Arab Revolt did not incline Ben-Gurion towards negotiation or compromise. On the contrary, it led him to the conclusion that war, not diplomacy, would be the final arbiter of the dispute with the local Arabs.

Ben-Gurion was, in fact, committed to the full realisation of the Zionist programme regardless of the scale and depth of Arab opposition. In a letter to the Executive of the Jewish Agency, dated 9 June 1936, he insisted that peace with the Arabs was only a means to an end. He wrote:

It is not in order to establish peace in the country that we need an agreement. Peace is indeed a vital matter for us. It is impossible to build a country in a permanent state of war, but peace for us is a means. The end is the complete and full realization of Zionism. Only for that do we need an agreement.

The question was whether such an agreement with the Arabs was at all conceivable. Ben-Gurion's answer was that an agreement with the Arabs regarding the final objective of Zionism was conceivable, but only in the long term: 'A comprehensive agreement is undoubtedly out of the question now. For only after total despair on the part of the Arabs... may the Arabs possibly acquiesce in a Jewish Eretz Israel.'¹⁵

The similarity between Ben-Gurion's conclusion and the conclusion announced by Ze'ev Jabotinsky in his article 'The Iron Wall' thirteen years earlier is very striking. Both men regarded the Arabs of Palestine as a national movement which, by its very nature, was bound to resist the encroachment of Zionism on its land. Both men realised that the Arabs would not willingly make way for a Jewish state and that diplomacy was therefore incapable of resolving the conflict. Both men believed that the Arabs would continue to

fight for as long as they retained any hope of preventing the Jewish take-over of their country. And both men concluded that only insuperable Jewish military strength would eventually make the Arabs despair of the struggle and come to terms with a Jewish state in Palestine.

Ben-Gurion did not use the terminology of the iron wall, but his analysis and conclusions were virtually identical to Jabotinsky's. Where they were at odds was over the timing of the Zionist resort to force. Jabotinsky stated openly that there was no alternative to military power and he pressed for an immediate declaration of statehood. Ben-Gurion knew that there was no alternative to military power, but he wanted to delay the confrontation with the Arabs until the Zionist movement had achieved military superiority. Pretending to believe that there was a peaceful solution to the conflict served a useful public relations purpose, both internally and externally. It enabled the Zionists to hold the moral high ground, to pose as the innocent victims of Arab aggression. For Ben-Gurion himself, however, the so-called defensive ethos of Zionism was inextricably linked, from the beginning, to its offensive ethos – they were two sides of the same coin.

Moreover, the socialist leader fully shared his right-wing rival's view about the Jewish state's place vis-à-vis the Arab world. Ben-Gurion's basic image of the Arabs was that of a primitive, implacable and fanatical enemy that understood only the language of force. In his speeches, he repeatedly stressed the alienation and the gulf between 'us' and 'them'. 'We live in the twentieth century, they in the fifteenth,' he said in one speech and expressed his pride in the fact that 'We have created a modern society... in the midst of a medieval world.'¹⁶ Ben-Gurion could not conceive of a multi-ethnic society embracing Jews and Arabs. He often compared Israel to a boat and the Arabs to a cruel sea, ruling out the possibility of harmony between them. His aim was to make the boat so watertight that no storm or turbulence in the sea could capsize it.¹⁷ He often remarked that Israel was located in the Middle East by an accident of geography and despite its values and culture: 'Israel is not a Middle Eastern state, it is a western state,' he insisted.¹⁸ This view of the Arabs, as in the case of Jabotinsky, translated into a geo-strategic conception that presented the Jewish state as the vanguard of western civilisation against eastern barbarism and aspired to link it as closely as possible to the western powers. It also prompted Ben-Gurion and his successors from both political parties to try to market Israel as a strategic asset for the west in the Middle East during the cold war.¹⁹

Conclusions

There has been a persistent tendency in Zionist historiography to downplay the importance of Ze'ev Jabotinsky as a founding father of the State of Israel, as a thinker and as a strategist. His many opponents in the labour movement treated him with suspicion and disdain. He was seen as an irresponsible maverick by some and, by others, as a dangerous representative of the lunatic fringe. He was denounced as a crypto-fascist, as a Jewish Mussolini and as 'Vladimir Hitler'. His ideas were repudiated both because he was ahead of his time and because of the dogmatic and uncompromising manner in which he asserted them. His aggressive militancy was considered inappropriate at the early stages in the evolution of the Zionist movement. It was feared that he would give the world the 'notion that we Zionists intend to dominate the Arabs of Palestine by force of arms, thus offering our enemies a weapon against us.'²⁰ The official leadership of the Yishuv preferred the more cautious and pragmatic approach represented by Chaim Weizmann. This approach was thought less likely to provoke Arab resistance and more likely to enlist the support of the mandatory power.

It was Jabotinsky, however, who laid the intellectual foundations for the militarisation of the Yishuv; it was he who advanced the key ideas and formulated the basic strategy of the Zionist movement in the confrontation with the Palestine Arabs. The Jewish struggle for statehood proceeded largely along the lines outlined by this right-wing maverick. In the words of one observer, 'Jabotinsky represents the most uninhibited expression of Zionism as a political movement, and in this regard he symbolized an ideological norm toward which much of Zionism's latent disposition naturally gravitated.'²¹

A review of the internal debate among the founding fathers on the question of Zionism and the Palestine Arabs is thus highly revealing about the aims and methods of the movement. It also pinpoints trends that were to persist well into the post-independence period. It suggests that, from the beginning, the politicians of the left have tended to be less explicit, less straightforward and less frank about the causes of the conflict than the politicians of the right. There was always a gap between the lofty Zionist ideals of developing the country for the benefit of all its inhabitants and the reality on the ground. With some exceptions, the tendency on the left has been to fill this gap with hypocrisy and humbug and to place the blame for all the conflict and strife on the other side. Politicians of the right, again with many exceptions, more readily recognise that the resort

to force was necessary for the achievement of national goals and are more willing to admit that the clash between the two national movements was inevitable from the beginning. Neither camp has a monopoly on sanctimonious self-righteousness, but this quality tends to be more pronounced and pervasive on the left.

Humbug is not confined to the politicians of the Labor Party but extends to some of the academics associated with it as well. One example is Anita Shapira, professor of Jewish history at Tel Aviv University and author of *Land and Power: The Zionist Resort to Force, 1881-1948*.²² In Hebrew, the book is called *Herev hayona* (The Sword of the Dove). The title says it all: the Zionist movement was a white dove that meant no harm to anyone but was forced by Arab predators to carry a sword to defend itself. This account is so simplistic, so one-sided and so divorced from reality that a more appropriate title for the book might have been *Anita in Wonderland*. In the book, Shapira argues that the Zionist movement began with a 'defensive ethos' and only reluctantly shifted to an 'offensive ethos' in response to Arab aggression. The Zionist movement, so the argument runs, started life with the best of intentions and was compelled by circumstances beyond its control to incorporate the use of force as a tool for realising the idea of Jewish national sovereignty in Palestine. This argument overlooks the fact that violence was implicit in Zionism from the beginning and that the Arab-Israeli conflict was an inescapable consequence of the Zionist programme. Zionism sought to create a Jewish state in a land that was already inhabited by another people. Labour Zionists denied that this entailed the resort to force while right-wing Zionists admitted it. That was the main difference between them.

Notes

1. Klug (2010). I would like to thank Brian Klug for putting the text of his presentation at my disposal.
2. Harkabi (1977).
3. Shlaim (2000).
4. Quoted in Gorny (1987: 160).
5. Jabotinsky's work was published in Russian and Hebrew. Translation of excerpts used in this chapter are by Avi Shlaim. For a complete text of the article in English, visit the website of the Jabotinsky Institute in Israel: http://www.jabotinsky.org/multimedia/upl_doc/doc_191207_49117.pdf. See also Zaborotinsky (1923a and 1923b).

6. See note 5; and for an alternative translation, see Zabolinsky (1923a).
7. See note 5; and for an alternative translation, see Zabolinsky (1923b).
8. Quoted in Avineri (1981: 182).
9. Schechtman (1961: 324).
10. Lustick (1996: 199).
11. See Rose (2007: 94).
12. Sternhell (1998).
13. Morris (2004).
14. Quoted in Teveth (1985: 166).
15. Ben-Gurion (1972: 80).
16. Quoted in Shalom (2002: 6).
17. Erez (1981).
18. Quoted in Shalom (2002: 6).
19. Shlaim (2004).
20. Schechtman (1961: 32).
21. Taylor (1974: 91).
22. Shapira (1992).

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PART TWO: THE ETHNIC STATE AND ITS VICTIMS



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Chapter Three

Israel as an ethnic state: Descriptions, paradigms and prescriptions

Ran Greenstein

When we look at the question of Israel as an ethnic state, we must first consider which Israel is our topic of concern: Israel as it exists today, with boundaries extending from the Mediterranean to the river Jordan, or Israel as it existed before 1967, along the Green Line? Israel as a state that encompasses all its citizens, within the Green Line and beyond? Israel as it defines itself, or as it is defined by others? And which definition is legitimate according to international law? Is the Palestinian territory occupied in 1967 part of the definition or not? Which boundaries (geographical, political, ideological and moral) are most relevant for our discussion? What are their implications for our understanding of ethnicity, nationalism and the Israeli-Palestinian conflict?

Posing the questions correctly will take us a long way towards valid answers. Each definition of the situation carries with it different consequences for description and analysis and different prescriptions for action. Perhaps the central question in this respect is the relationship between Israel 'proper' (within its pre-1967 boundaries) and Greater Israel, which came into being as a result of the June 1967 war and has effectively retained the same boundaries since. A series of recent publications – books, reports, articles – have focused on the meaning of the 1967 historical divide, the extent to which it is linked to other social and political cleavages and the consequences for our understanding of the nature of the Israeli regime today.

The aim of this chapter is to analyse some of these writings and to highlight key issues for debate. On that basis, we can proceed to discuss their implications for the notion of Israel as an ethnic state. This notion applies differently to various definitions of Israel and affects the ways in which we understand the state and its practices, the forces stacked for and against its self-definition and the political prospects of different proposals for a solution to the conflict.

The Green Line paradigm

Among the crop of studies examined here, the one by sociologist Yehouda Shenhav frames the debate over the relationship between Israel and Greater Israel most clearly as a clash between two competing paradigms.¹ These are the dominant 1967 paradigm, also known as the Green Line paradigm, of which he is critical, and the marginalised 1948 paradigm, which he seeks to resurrect. In comparing the two, Shenhav addresses the distinction between Israel, in its Green Line boundaries (which reflect the outcome of the 1948 war) and the Palestinian territory occupied since the June 1967 war – the West Bank and the Gaza Strip. Although both the pre- and post-1967 territories fall within its overall system of military and political control, Israel has maintained the legal distinction between them. This, despite the fact that it has been in control of the entire territory of Palestine for the last forty-five years, while Israel ‘proper’ lasted only nineteen years.

Shenhav argues that the distinction made by the Green Line paradigm artificially separates Israel, which it regards as a democratic nation-state of the Jewish people, from the Occupied Palestinian Territory. This paradigm regards the occupation as an aberration in that it introduced a large number of Palestinian non-citizens into the system. However, as long as no final decision is made on the future of the territory, it will remain under occupation and the democratic rights of its Arab residents will remain suspended. This temporary suspension of democracy, the argument goes, is a result of the unresolved conflict and does not affect the democratic nature of Israel itself.² The solution to the conflict, according to this paradigm, would be the creation of an independent Palestinian state in the West Bank and Gaza Strip, living in peace alongside Israel. Known as the two-state solution, its proponents argue that it will remove the temporary aberration of the occupation, restore Israel’s status as a Jewish democratic state and give Palestinians their own nation-state.

What is the problem with this paradigm? Shenhav identifies four ‘political anomalies’, corresponding to specific interest groups, that make the Green Line paradigm difficult to sustain, namely:

- Palestinian refugees, who were dispossessed by the establishment of the Israeli state in 1948. For those of them who were living in the Occupied Territory during the 1967 War, the occupation may arguably have represented a degree of liberation in the sense that their mobility within their homeland was enhanced as a result.

- Palestinians, who remained in Israel after 1948 and became Israeli citizens. For them 1967 represented an opportunity to reunite with their people and the Arab world from which they had been forcibly separated when Israel was established.
- Religious-nationalist Jewish settlers for whom the Green Line is not morally or politically meaningful and for whom Israel as a Jewish state extends to the Jordan River or beyond.
- Settlers driven by socio-economic rather than religious-nationalist motivations, primarily Mizrahim,³ orthodox Jews and Russian immigrants; in other words, the people of the 'third Israel' who tend to feel marginalised by the dominant political system. For this group of people the occupation has provided access to land and other substantial benefits.

For all these groups, argues Shenhav, pre-1967 Israel (nostalgically regarded as a democratic haven by adherents of the Green Line paradigm) was an oppressive social and political space. A return to it would not improve their situation and might even make it worse. Although they come from different religious, political and social backgrounds, they are united in rejecting the notion that the two-state solution would lead to a sustainable resolution of the Israeli-Palestinian conflict. Palestinian refugees would not benefit from the reconstitution of a Jewish Israel from which they would remain excluded; Palestinians inside the Green Line would again be separated from the Arab world and be subjected to the same exclusion and oppression from which they suffered before 1967; religious-nationalist settlers would oppose their removal from what they see as their God-given homeland and the people of the 'third Israel' would resent being relegated back into a position of marginality from which the occupation extricated them.

So, asks Shenhav, who would benefit from the two-state solution? Essentially it is secular Ashkenazi-Jewish elites who had political, social, economic and cultural control before the 1967 war and who have since lost their dominant position. The rise of the Mizrahi, and of religious, immigrant and Arab voices and movements after 1967, has undermined the dominance of those elites and a return to small 'enlightened' pre-1967 Israel, in which their power was unchallenged, would allow them to reassert their position at the expense of these other groups. This, argues Shenhav, is the reason they are the main proponents of the Green Line paradigm. They have managed to make this a dominant perspective in

public discourse, although underlying social and cultural currents have led to its continued decline in policy and practice. Diplomatic support for the two-state solution has increased but so has the blurring of the (physical, legal and symbolic) boundaries between Israel and the Occupied Territory. Most of those living in the region have never experienced any reality other than that of Greater Israel.

Thus, paradoxically, the rhetorical victory of the Green Line paradigm, as expressed in almost unanimous international support for it and its invocation in all UN resolutions, has disguised its demise in practice. Through massive allocation of state resources and a consistent policy of expansion, Israel has created a patchwork of disconnected areas in which Palestinians live, criss-crossed by Jewish settlement infrastructure. Removing hundreds of thousands of settlers and restoring the integrity of the pre-1967 boundaries is virtually impossible, says Shenhav, and the prospect of a viable independent Palestinian state is more remote than ever. Separation between Jewish settlers and local residents within the Occupied Territory is maintained through an elaborate system of laws and military regulations, with settlers legally and politically incorporated into Israel while Palestinians live as stateless subjects. The crucial distinction now is between citizens and non-citizens within Greater Israel, rather than between the pre- and post-1967 territories.

What is Shenhav's alternative, then? It is the 1948 paradigm which is based on treating the historical territory of Palestine as a unified geographical unit in which many groups with diverse needs coexist.

From a Palestinian perspective it is essential to address the root problem of the 1948 Nakba – the forced displacement of hundreds of thousands of Palestinians from their homes and homeland, the destruction of hundreds of villages and urban neighbourhoods and their replacement by Jewish immigrants and settlements. Palestinians who remained within Israeli boundaries were made subject to military rule, dispossessed of much of their land and turned into second-class citizens. Their historical and cultural legacy was largely erased to reinforce an exclusive Jewish claim to the land. All this has affected Jews too, who grow up in wilful ignorance of the history of their country and live in denial of their active role in shaping the nature of the conflict. Only by addressing its ongoing impact, and providing redress for it, will the trauma experienced by Palestinians be overcome. This means that Israeli Jews must acknowledge their responsibility for the part they have played in it, something that they have consistently refused to do.

The 1948 paradigm, Shenhav argues, would allow Israeli Jews and Palestinian Arabs to reshape their relations in a common space by working within the same framework. This means opening up a process of resolving problems by recognising that both national groups have legitimate claims that cannot be used to deny the other's rights and needs. This process would address the traumas of both sides, acknowledge the changes wrought by the settlement project, seek to reconcile competing and even contradictory theological claims, redistribute resources equitably between the national collectives and create a new democratic regime that would address the concerns of all groups.

Shenhav does not prescribe a method for resolving the conflict but offers three possible models. The first is a one-state solution, an unlikely option as it is premised on the existence of a homogeneous population and ignores the large degree of differentiation – cultural, religious, and ethnic – between and within Jewish and Arab populations. The second is a two-state solution but one which ensures a more equitable distribution of land and resources between the two sides. The third is a consociational democracy. This assumes that civil equality at state level could be supplemented by expressions of specific rights and preferences in smaller localised units. Instead of removing ethnicity and religion from the realm of the state, as the one-state model aims to do, this arrangement would reinforce them at the local level, to allow communities to express their identities. In Shenhav's view, some variation on the third model is the likely eventual outcome. In the interim, he argues, a binational model could begin to apply within the Green Line boundaries to create a bilingual society that would ensure equality of rights between individuals and ethnic-religious collectives.

Shenhav's consociational model recognises the right of return of Palestinian refugees, although not necessarily to their original homes, and reconciles this with the Law of Return for Jews.⁴ This would enable civil equality to co-exist with multiple identities, rights and claims (of an ethnic, communal and religious nature) and thus open the way for legitimate Palestinian and Jewish self-expression in the shared space of historical Palestine. For him, it is important to assert that Jews have a right to express their collective identity, hence the subtitle of his book, *A Jewish political essay*. But he argues that Jews must express that identity in non-oppressive ways. Only if Israel changes from an exclusionary ethnic state to an inclusive democracy and accommodates internal ethnic and religious diversity can such expression be possible. Shenhav argues that this change is as essential for future Jewish prospects in the Middle East as the restoration of Palestinian rights.

Shenhav's sociological perspective links the notion of 'Israel proper' – a democratic state that supposedly exists independently of the occupation – to Ashkenazi Jewish elites and their wish to retain socio-economic and cultural control. This allows him to shift attention to marginalised groups – the 'political anomalies' listed earlier – who, he argues, are united by their opposition to the exclusionary 1967 paradigm. These groups challenge the paradigm from radically different directions, however. Some of them seek to deepen the oppression of Palestinians by imposing further restrictions on their movements and ability to live, work and survive on their land, with a view to driving them out altogether. Others seek to liberate Palestinians from foreign rule and get oppressive Israeli settlers, soldiers and officials off their backs. How can any sense of common purpose be formed out of these violently opposed sentiments?

In his eagerness to force settlers into the 1948 camp, Shenhav ignores glaring contradictions. He maintains that it would be immoral to evict settlers from the homes they acquired as a result of official Israeli policy, arguing that an injustice cannot be fixed by another injustice. But he fails to consider that if the process by which settlers came to occupy their positions is not reversed, it would be impossible to restore Palestinian rights. Where settlers control resources – land, water, trees, roads, buildings – taken by force or built at the expense of Palestinians, the original injustice is being continuously re-enacted. The problem, of course, is not the mere presence of Jews, but the existence of settlements as exclusionary enclaves that serve to dispossess the local population and entrench Israeli rule on an ongoing basis. The professed willingness of some settlers to 'live together' with Arabs as 'neighbours' in the same 'space' does not extend to a willingness to relinquish their spoils and live as equals in open communities. And the fact that many Jewish communities within pre-1967 Israel are also exclusionary, as he correctly points out, does nothing to address the issues posed by the post-1967 settlements. Blatant practices of dispossession, backed up by massive military force, political and legal support and economic investment make them qualitatively different from Jewish settlements within the Green Line.

For this reason, very few Palestinians regard settlers in the Occupied Territory as legitimate or recognise their right to remain there, while most do accept the right of Jews to live in pre-1967 Israel (without necessarily accepting Israel as a Jewish state). In the eyes of Palestinians, the post-1967 settlements are a reality that must be opposed and not embraced

as Shenhav proposes. Palestinians may adhere to the 1948 paradigm in regarding the territory of Palestine as one unit but they do not agree that settlers are – or can become – their partners in finding a solution to the conflict. At most, they would be willing to tolerate their presence if removing them proves too difficult, but that is a far cry from celebrating their presence. In this respect, Shenhav's overriding concern with exposing the inconsistencies of the Zionist left leads him into a tacit alliance with the Zionist right:

The diagnosis of the right-wingers is accurate... there is a minority that reads reality in a far less denying and less repressive way than all the people on the left who support the two-state solution... The 1967 paradigm is intended to make it possible for the left to live in Tel Aviv and feel good about itself... [and] the settlements will be sacrificed in order to atone for what they did to the Palestinians in 1948. The settlers will pay the price of the sins of the left... Don't get me wrong: I am not in favor of the vision of the right wing. All I am doing is recommending that the left listen to what the right is saying. To take the right wing's diagnosis and develop it into normative and moral left-wing viewpoints to create a horizon that reflects the left – not nationalism, not a Jewish empire.⁵

On the positive side, Shenhav's focus on internal Israeli debates highlights the links between liberal views (as expressed in the 1967 paradigm) and socio-economic privilege, as well as those between religious and ethnic identities and the politics of the Israeli-Palestinian conflict. Shenhav provides a sociologically grounded analysis, which replaces the misleading notions of 'left' and 'right' as they are commonly used in Israel. At the same time, his approach obscures the role that occupation and resistance play in Palestinian-Arab debates and interpretations for which he shows scant regard. Despite advocating a paradigm that aims to move beyond the limited concerns of Israeli Jews, Shenhav ends up trapped by the assumption that what really matters is how Jews define the situation and propose to change it.⁶

A tendency to direct most attention to Israeli actions and debates is common in Israeli scholarly literature which focuses on what Jews do and say, implicitly accepting that Palestinians are victims who may deserve sympathy but are of little interest otherwise. This has to do with the informal but deeply entrenched academic division of labour in Israel, in which sociologists and political scientists study Jews, anthropologists

study Mizrahim and Arabs inside Israel, and ‘orientalists’ study other Arabs.⁷ A somewhat different approach – difficult to classify neatly – is taken by Meron Benvenisti who was the first person to advance the notion that the Israeli occupation had reached a point of no return in the 1980s and cannot be reversed.⁸ Therefore, for Benvenisti, any talk of Israel that excludes the Occupied Territory is meaningless.

The inevitable binational regime

By the late 1980s, argues Benvenisti, Israel’s hold over the territory beyond the Green Line had become permanent, even though Palestinian residents remained excluded from citizenship and rights. Defining the territory as occupied is misleading in his view, as it has become incorporated into the Israeli system of control. Disguising reality by pretending that the situation is temporary and that there is a meaningful peace process that could result in change helps maintain the status quo. Benvenisti proposes that the paradigm of temporary occupation be replaced by that of a ‘de facto bi-national regime’, which describes the ‘mutual dependence of both societies, as well as the physical, economic, symbolic and cultural ties that cannot be severed without an intolerable cost’. The binational solution does not mean parity of power, however, due to ‘the total dominance of the Jewish-Israeli nation, which controls a Palestinian nation that is fragmented both territorially and socially... Only a strategy of permanent rule can explain the vast settlement enterprise and the enormous investment in housing and infrastructure, estimated at US 100 billion.’

According to Benvenisti, the Israeli system is geared to undermine every agent or process that puts the Jewish community’s total domination in jeopardy, or threatens its ability to accumulate political and material advantages. This system has evolved as an unplanned response embedded within the ‘genetic code’ of a settler society and is no longer dependent on settlements and military occupation to entrench itself. Instead, it is sustained by Israel’s success in fragmenting Palestinians and ensuring that each of the fragments is concerned only with its own affairs with no interest in or capacity to work with the others. Benvenisti does not mince words in describing what he regards as the total disarray in Palestinian ranks today as compared to the nationalist unity that was apparent in the 1970s and 1980s but he fails to offer reflections on the situation as seen from Palestinian perspectives or based on their own voices.⁹ While dismissing the prospects for Palestinian national identity and unity, he

highlights the success of the ‘mobilization of the Jewish community into support for the occupation regime, which is perceived as safeguarding its very existence’ and which allows it to continue its domination and disguise its true nature. As a result, a binational reality has emerged and partition is no longer viable. Benvenisti concludes that the two national groups are destined to live together and that the only remaining question is what kind of relations can and will be established between them.

One option considered but dismissed by Benvenisti is that of the South African ‘one person, one vote’ paradigm which is based on ‘a centralized, unitary state where the civil rights of the individual citizen are respected, but the collective rights of ethnic groups are not grounded in constitutional law’. He argues that this paradigm is inadequate in the Israel-Palestine context, because it would ‘result in perpetuating the supremacy of the Jewish ethnic group, securing its rule by Palestinian fragmentation’. A wealthy, armed, well-organised and unified Jewish society would face poor, weak, divided and powerless Palestinian groups. To quote Benvenisti, ‘A liberal democracy cannot function where ethnic polarization – political, economic and cultural – runs deep. Here the problem is not one of individual rights, but is focused on mutually incompatible collective rights.’

For Benvenisti, all viable paradigms involve recognition of the need to address the binational reality to allow a common future. The precise nature of the constitutional framework is secondary:

It is a choice between horizontal (power sharing) and vertical (territorial) partition... Coexistence must be based upon communal equality and ethical principles, human dignity and freedom; otherwise it will not endure and will perpetuate violence. It is clear that without parity of esteem, mutual respect for the identity and equality of the two communities, there will be no reconciliation and neither of the two alternatives – partition and power sharing – could be implemented.

How this approach would allow us to address the question of occupation and settlements is not made explicit, however. Once we adopt a binational paradigm, the post-1967 territories seem to disappear from view as an issue of concern. Shenhav does attempt to address the issue of what is to become of the settlements (even if he does it in a way that is inadequate from the perspective of Palestinians) but Benvenisti does not regard it as important enough to merit discussion. He may be subsuming the issue into the general question of the allocation of resources in the future. But

the military presence, the institutional and physical infrastructure that has been built, together with the massive investment in the settlements, are unlikely to somehow lose their distinct role in the conflict regardless of which paradigm we choose. The fact that these issues are not the subject of explicit discussion is evidence of a large gap in Benvenisti's analysis.

Perhaps it is not surprising that in a study that aims to analyse the situation, a solution to various questions is not the focus of concern: the point is to describe, not prescribe. Yet Benvenisti concludes his analysis by contradicting his earlier dismissal of Palestinian political capacity. After portraying a gloomy picture of the futility of resistance, he identifies the Palestinian citizens of Israel as possible agents of change. Initially occupying a marginal position after 1948, since 1976 and the Land Day uprising they have become a consolidated minority group with high self-esteem and the ability to challenge the majority community by demanding individual and collective equality and national rights. Benvenisti suggests further that decades of interaction with the Jewish masses and elites have helped Palestinian citizens develop intimate familiarity with Jewish-Zionist society and with its strengths and weaknesses. Their 'vision documents' (discussed below) and their political demands for consensual democracy and power sharing may serve as the basic manifesto of all Palestinians seeking to address the binational reality. Unfortunately, he does not explain how the 'fragmented Palestinians', concerned only with their sectional interests, will unite around a platform of demands proposed by one interest group.

Despite having said that, the potential role of Palestinian citizens seems to be marginal to Benvenisti's approach and more of an afterthought than an integral part of his analysis. In this, Benvenisti is similar to Shenhav, who also suggests that the transition to an overall solution could start with the application of a binational model to Jewish-Arab relations within Israel proper (again, more as an afterthought and in partial contradiction to the thrust of his analysis which does not recognise the pre-1967 boundaries as meaningful). The issue occupies a more central place in a landmark work by Ariella Azoulay and Adi Ophir, which focuses on the 1967 occupation and the nature of the Israeli regime.¹⁰

The regime which is (not) one

In contrast to Shenhav and his 1948 paradigm, Azoulay and Ophir regard the occupation and its legal and political consequences as meaningful de-

velopments rather than merely as an expansion of the boundaries of Israeli control. They make a distinction between the two sides of the Green Line, not with a nostalgic view towards pre-1967 Israel but in an attempt to understand how both Israel proper and the Occupied Territory are governed by a single, internally differentiated, regime. They acknowledge that the Israeli regime is a product of a settlement process, which historically was part of the overall European colonial project, and that its practices are similar in many respects to separation regimes such as the one that ruled apartheid South Africa. However, labels such as settler colonialism, apartheid, and so on tell us little about the regime's specific nature and trajectory or about suitable strategies of resistance and change.

For these, they say, we need to undertake a concrete analysis of the specific conditions under which the regime emerged, its mechanisms of domination and ideological strategies and the forces acting to entrench or challenge it.

Azoulay and Ophir argue that we cannot understand the Israeli regime by regarding it as the product of an inherently Zionist or Jewish-nationalist logic that has led inevitably to the present. Just as post-1948 Israel was not a direct continuation of the pre-1948 Zionist movement and its institutions, the post-1967 regime is not simply an extension of the pre-1967 practices of domination. There is a break (but also continuity) after 1967 and another break (and continuity) after 1987 (reinforced after the Oslo agreements of 1993). The regime that emerged at each point was not simply a stage in the unfolding of some grand design but an outcome of contingent historical developments.

Thus, what Azoulay and Ophir describe as the 'regime which is not one' has a dual character: brutal oppression, denial of human and political rights, total disregard for the welfare of subjects in the Occupied Territory, combined with (a qualified) democracy within the pre-1967 boundaries. This duality exists within the framework of the same regime. For them, talking about Israel in its pre-1967 boundaries as a distinct social and political entity is meaningless – the regime encompasses both sides of the Green Line and they are interdependent. The Occupied Territory is included in a way that retains its exclusion from the realm of legitimate politics (falling rather under notions of 'security' or 'demography'). The regime incorporates the Occupied Territory as a permanent 'outside', an 'inclusive exclusion': a space that is always subject to Israeli domination (in the Gaza Strip today just as much as in the West Bank since 1967) but is never

absorbed into Israel. For Azoulay and Ophir, neither withdrawal from the Occupied Territory nor its annexation is likely. And they argue that this is not the result of a failure to agree on policy, as it is usually portrayed, but rather a firm policy decision to retain this ambiguity (forever if possible).

In theoretical terms, there is a well-established distinction between sovereign and disciplinary power (Foucault), between repressive and ideological state apparatuses (Althusser) or between domination and hegemony (Gramsci). On one side is the repressive aspect of power, and on the other are attempts to win legitimacy and the consent of the governed by making concessions – taking care of people’s needs and assuming responsibility for their welfare. In Europe and elsewhere, liberal and social-democratic reforms saw countries making a gradual and consistent transition from domination to the more hegemonic mode of rule over the last 200 years. What we are observing in the Israeli case, argue Azoulay and Ophir, is a shift in the opposite direction, beginning with responses to the first intifada in 1987, accelerating with the Oslo Accords in 1993¹¹ and culminating in responses to the second intifada from 2000 to the present. While Palestinian residents of the Occupied Territory were never incorporated politically or even recognised as having legitimate claims, the regime did see itself as responsible for their welfare between 1967 and 1987 and attempted to win a degree of consent from them. These attempts failed completely and, subsequently, even minimal concern for their welfare was abandoned.

Since the Oslo Accords, complete disregard for the welfare of Palestinians in the Occupied Territory has become the norm. Israeli authorities have shirked all responsibility; their only concern is to ensure that these residents do not die *en masse* (not because they really care, but because this would create a diplomatic problem). They allow limited supplies of electricity, fuel or food aid by international agencies, calculated to be just enough to prevent mass starvation or total infrastructural collapse. Beyond the repressive apparatus of the state, nothing is left. All state functions that could potentially be taken over and democratised have been withdrawn from the Occupied Territory and those that operate inside Israel are totally inaccessible.

While in the Occupied Territory the distinction between citizen (soldier, settler) and non-citizen (Palestinian resident) is paramount, within the Green Line the ethnic distinction between Jewish and Arab citizens is crucial. In the Occupied Territory, both distinctions overlap but this is not

so in Israel, which is why it is important not to lump them together in the analysis. The tension between the principles of ethnicity and citizenship opens up opportunities for change. Israeli Palestinians are discriminated against but are not subject to the same system of domination as their counterparts who live under occupation. They can exercise their rights as citizens in order to campaign for meaningful political and social integration. And, in doing this, they could open the way to changing the regime itself. Occupied Palestinians can resist the occupation but their capacity to change the regime itself is blocked; they have no effective leverage from the external position into which they have been forced. Overall regime change thus hinges on the success of changing Israel from within through the joint efforts of Israeli Palestinians and their Jewish allies. Change inside Israel will open possibilities for further change in the nature of the regime as a whole.

Characterising the relations between Jewish and Arab citizens as a system of ethnic democracy (which observes certain democratic norms and rights but displays systematic and growing ethnic bias) has encountered criticism. Oren Yiftachel argues that the regime is indeed a unified system of ethnic rule and exclusion – an ethnocracy – operating according to similar principles on both sides of the Green Line.¹² For him, the ongoing project of Judaisation is applied in different historical, geographical and demographic contexts, but is governed by the same imperative of gaining control over resources, land and political power. Its overall goal is to entrench the rule of Jewish citizens, wherever they are, over the indigenous Arab population. The result is a system in which many sub-groups with different rights and liabilities co-exist; they cannot be divided neatly into citizens and non-citizens. Palestinian citizens of Israel may be better off than their non-citizen fellows who live under occupation, but they are subject to the same ethnocratic rule, as the long list of violations of democratic norms and rights provided in the article makes clear.

In my view, Yiftachel is correct in observing that group affiliation is more important than citizenship status in Israel and that ethnicity trumps democracy in its ‘ethnic democracy’. As the saying goes, the Jewish democratic state (also known as the ‘Jewish demographic state’) is ‘Jewish’ for Arabs and ‘democratic’ for Jews. However, Yiftachel’s criticism of Azoulay and Ophir is a bit unfair. They *are* aware of the defective nature of Israeli democracy and they do not idealise the conditions under which Palestinian citizens live. They may well recognise that Palestinian citizenship is

‘ghettoised’ and embedded within a system of ‘creeping apartheid’ (to use Yiftachel’s terminology), but they contrast it with the much harsher exclusionary oppressive conditions under which occupied Palestinians live. This allows them to highlight courses of action that are open to citizens (even those on the wrong side of the ethnic divide), but not to colonial subjects denied access to any rights. Indeed, without waiting for academics to analyse them, Palestinian citizens of Israel have taken the initiative and come up with their own analyses and political strategies.

The vision documents

In a series of documents published between December 2006 and May 2007, prominent activists, academics and intellectuals outlined their vision for the future of Palestinian Arab citizens of Israel and their relations with their Israeli-Jewish counterparts.¹³ In the 2006 framework document published by the National Committee for the Heads of the Arab Local Authorities in Israel, they present themselves as ‘Palestinian Arabs in Israel, the indigenous people, the residents of the State of Israel’. They go on to state that, as a result of the 1948 Nakba, they had been disconnected from the rest of the Palestinian people and the Arab world and since then have been ‘suffering from extreme structural discrimination policies, national oppression, military rule that lasted till 1966, land confiscation policy, unequal budget and resources allocation, rights discrimination and threats of transfer’, but have managed to maintain their ‘identity, culture, and national affiliation’. Israel’s definition as a Jewish state excludes them, therefore they call for ‘a Consensual Democratic system that enables us to be fully active in the decision-making process and guarantee our individual and collective civil, historic, and national rights.’¹⁴

Analytically, Israel is identified as executing ‘internal colonial policies’ against Palestinian-Arab citizens, as part of a process of ‘judaization of the land and erosion of the Palestinian history and civilization’.¹⁵ This makes Israel an ‘ethnocratic state’, which uses ethnicity and religion rather than citizenship ‘as a basic principle of the distribution of resources and abilities’. To overcome this system, ‘the State should recognize the Palestinian Arabs in Israel as an indigenous national group (and as a minority within the international conventions) that has the right within their citizenship to choose its representatives directly and be responsible for their religious, educational and cultural affairs... [and] the State has to acknowledge that Israel is the homeland for both Palestinians and Jews’. The two groups

'should have mutual relations based on the consensual democratic system (an extended coalition between the elites of the two groups, equal proportional representation, mutual right to veto and self administration of exclusive issues).' This would lead to the removal of 'all forms of ethnic superiority, be that executive, structural, legal or symbolic', and the adoption of 'policies of corrective justice in all aspects of life in order to compensate for the damage inflicted on the Palestinian Arabs due to the ethnic favoritism policies of the Jews.'¹⁶ A long list of areas in which such policies must apply includes land, planning, and housing; employment and service provision; social development; education and culture and institution building. In all these, solidarity with and a sense of common identity and fate with other Palestinian groups and the Arab world are essential. The precise nature of the relations between them is left vague, however.

In more legalistic vein, Adalah, the Legal Center for Arab Minority Rights in Israel, produced a draft constitution to embody the principles contained in the vision framework.¹⁷ If it were accepted, its area of application would be 'the territory which was subject to the Israeli law until 5 June 1967'; in other words, Israel 'proper'. None of the clauses in the document refer to Palestinians in the Occupied Territory or the diaspora. The document simply states:

The State of Israel must recognize its responsibility for past injustices suffered by the Palestinian people, both before and after its establishment. The State of Israel must recognize, therefore, its responsibility for the injustices of the Nakba and the Occupation; recognize the right of return of the Palestinian refugees based on UN Resolution 194; recognize the right of the Palestinian people to self-determination; and withdraw from all of the territories occupied in 1967.¹⁸

In a sense, this goes beyond both the 1948 and 1967 paradigms: the occupation is seen as a crucial development linked to the 1948 events and their ongoing legacy but not as being directly continuous with them. Distinctions must be made between the challenges and opportunities facing each segment of the Palestinian people – they cannot simplistically be lumped together.

According to the constitution proposed by Adalah, a democratic Israel would be bilingual, with Hebrew and Arabic as official languages enjoying equal status in state institutions. The state would be multicultural: 'each group that constitutes a national minority' would be entitled to 'edu-

cational and cultural institutions' and the same would apply to religious minorities. All minorities would be 'entitled to operate their institutions via a representative body chosen by the members of the group', allocated a suitable budget by the state and given 'appropriate representation' in state structures. Participation of minorities in decision-making is envisaged through a model which requires majority support from 'parties that by definition and character are Arab parties or Arab-Jewish parties'.

Interestingly, the proposed system is premised on indirect ethnic-group representation rather than universal democracy. It implicitly assumes that people would not transcend their ethnic identity and would continue to vote and act according to their definition of group interests (the reference to 'Arab-Jewish parties' seems to be a concession to Hadash – the Democratic Front for Peace and Equality – and the Israeli Communist Party, which do not define themselves as Arab, despite the fact that most of their support comes from Palestinian citizens).

Another distinctive feature of the proposed constitution is the notion of 'distributive justice', which aims to compensate 'every group of citizens which has suffered from a policy of injustice and historical discrimination' in the allocation of land, water and in planning. This would enable citizens (and potentially refugees) to reclaim expropriated private, communal and religious property, as well as compensation for having been uprooted by various pieces of discriminatory legislation. These mechanisms of restitution would apply to settled citizens, internally displaced persons, Bedouins and residents in unrecognised villages. Their purpose is to facilitate a return to the normal conditions that are expected to apply in a non-ethnic state. That the proposed constitution makes specific mention of various groups of Arab citizens is due to past discriminatory practices. In all other respects, it proposes that equality between citizens must be the norm. Thus, some of the tension between individual and group rights that appears in the document may be seen as a temporary measure or as a form of affirmative action.

It is clear that these vision documents foresee a future grounded in ethnic identity but, unlike the present ethnocratic system, based on equality between the different groups. Thus, Israel would not cease to be an ethnic state, but would become a bi-ethnic (or binational) state. This is clearly different from post-apartheid South Africa which aims to be a non-racial state in which racial considerations are allowed only for purposes of redress. In Israel/Palestine, the power of ethnic group identity and histori-

cal links to group members beyond the state's boundaries seem too strong to be easily overcome in the immediate to medium-term future.

This sense of history is expressed forcefully in a May 2007 document known as *The Haifa Declaration* which speaks in the name of

sons and daughters of the Palestinian Arab people who remained in our homeland despite the Nakba... [who] affirm in this Declaration the foundations of our identity and belonging, and... [call for] an historic reconciliation between the Palestinian people and the Israeli Jewish people... [based on] continued connection to the other sons and daughters of the Palestinian people and the Arab nation.¹⁹

In doing this, the Declaration rejects the label 'Israeli Arabs' and reasserts Palestinian and Arab affinities. At the same time, the Declaration defines its specific constituency as having been shaped by the 1948 events 'through which we – who remained from among the original inhabitants of our homeland – were made citizens without the genuine constituents of citizenship, especially equality.' As a 'homeland minority', they seek 'democratic citizenship', justice and redress as 'the only arrangement that guarantees individual and collective equality for the Palestinians in Israel.'

The Declaration focuses on Palestinians inside pre-1967 Israel but within the overall goal of a 'historic reconciliation' between the Jewish Israeli people and the Arab Palestinian people, groups that are not confined to specific boundaries. To achieve this, the state must 'accept responsibility for the Nakba, which befell all parts of the Palestinian people, and also for the war crimes and crimes of occupation that it has committed in the Occupied Territories.' This should be complemented by

recognizing the Right of Return and acting to implement it in accordance with United Nations Resolution 194, ending the Occupation and removing the settlements from all Arab territory occupied since 1967, recognizing the right of the Palestinian people to self-determination and to an independent and sovereign state, and recognizing the rights of Palestinian citizens in Israel.

In exchange, the Declaration continues, Palestinians and Arabs must 'recognize the right of the Israeli Jewish people to self-determination and to life in peace, dignity, and security with the Palestinian and the other peoples of the region.' This would require a 'change in the definition of the State of Israel from a Jewish state to a democratic state established on

national and civil equality between the two national groups, and enshrining the principles of banning discrimination and of equality between all of its citizens and residents.'

While the Haifa Declaration puts forward an overall vision of a solution to the Israeli-Palestinian conflict, it leaves a few questions without clear answers. It does not address the tension between the quest for a democratic state with no ethnic character and the notion of equality between ethnically defined groups. Nor does it attempt to reconcile the right to national self-determination with equality at the individual and collective levels. It identifies the role of Palestinians in Israel in transforming the state through their own efforts but the link between their struggle and that of other Palestinians is not addressed. In addition, the Declaration does not explain how Palestinians in Israel could use their strategic position and familiarity with Israeli Jews to advance support for terminating the occupation and recognising the right of return of refugees. These questions require extensive discussion and the Declaration may not have been the best forum for this, but it could at least have noted that these issues would have to be examined in the future.²⁰

The debate over the meaning of Israel as an ethnic state, an ethnocracy as its critics call it, or an 'ethnic democracy' as it is referred to by some of its supporters, continues. An editorial in the December 2009 edition of Mada al-Carmel's journal addressed these debates by expressing regret over the global spread of the 'political discourse of two states for two peoples – a Palestinian state and a Jewish state'. In their view, 'the ethnic state is a recipe for continued injustice and for resistance to it, and thus for the continuation of the conflict. It is the democratic state that will guarantee equality among all citizens'.²¹ Whether the democratic state would be merely 'a state of all its citizens', or a state which recognises that its citizens are divided into ethnic groups, to be represented as collectives and not only individually, is an ongoing question.²²

Conclusion

From the preceding discussion it should be obvious that most Palestinians in Israel do not accept the theoretical arguments presented by Shenhav, Benvenisti and others, which minimise the distinction between pre- and post-1967 Israel. This has little to do with their acceptance of the democratic credentials of the regime within Israel proper or with their position regarding the 'reversibility' of the occupation. That Israel is an ethnic state

in which Jews occupy a privileged position and from which all Palestinians – including citizens of the state – are excluded, albeit to different degrees, is not in dispute. Rather, what differentiates Palestinians in Israel from their counterparts in the Occupied Territory and the diaspora is their strategic political location: as citizens of the state, they are the only ones who can organise to change it from within. Their minority status means that such change will not happen through their efforts alone. An alliance with progressive Jewish forces is essential. This is likely to be a long and difficult struggle but not an impossible one. While alliances with other segments of the Palestinian people are important, it is difficult to see what concrete political shape they might take. Attempts to conceptualise such joint Palestinian campaigns normally consists of calls to support the usual political rhetoric (such as the one-state solution) or for solidarity with international campaigns (for example, the Boycott, Divestment and Sanctions movement). But they rarely offer concrete options for action within the physical and political frameworks that people occupy.

Going back to Shenhav's discussion of the 1967 Green Line paradigm, it is easy to see the blind spot in his analysis: accepting that 1948 is the departure point for understanding the overall nature of the conflict does not necessarily imply a unified political strategy of struggle and resistance. We can regard the question of Palestine as an integrated whole and still consider different courses of action for various segments of its population, depending on their specific location within the system of control, the concrete challenges they face and the opportunities with which they are presented. In his eagerness to critique the Zionist left, Shenhav ignores the extent to which the political discourse of Palestinians is based on a distinction between what they can practically do in different arenas of struggle.

A similar problem afflicts Benvenisti's analysis. His model of an 'inevitable' binational regime is based on an inability to regard Palestinian analysis and action as anything other than a series of self-serving delusions. That these reflect their differential political locations and perspectives, which in turn affect the nature of the regime that rules them, is something his analysis prevents him from seeing. In other words, the organisation and activities of Palestinians in Israel play a crucial role in the way that the Israeli state shapes and reshapes its ethnic character and devises new counter-strategies. The situation does not consist of a single active actor (Israel) and many passive victims, as his writings frequently imply.

Yet, despite the fact that Palestinians in Israel are marginal to the theoretical approach of both Shenhav and Benvenisti, both authors end up regarding them as a potential force for change that can trigger broader political transformations. The same goes for Azoulay and Ophir, of course, though in their case that conclusion is consistent with their overall approach. How can we explain this?

One thing to keep in mind here is that critical Israeli-Jewish intellectuals, regardless of their theoretical and political perspectives, are far more familiar with Palestinians in Israel than with Palestinians elsewhere. They speak a common language, read the same newspapers, have frequent discussions with them, share educational backgrounds, frequently work in similar institutions and meet in various political forums and activities. Only rarely do these intellectuals have a similar degree of intimate interaction with intellectuals and activists in the Occupied Territory, to say nothing about Palestinians in the diaspora. It is not surprising then that when it comes to outlining concrete political strategies they are at a loss to identify any concrete course of action that does not centre on the part of the Palestinian people about which Israeli Jews are most knowledgeable and with which they feel the greatest affinity.

What can we conclude then about Israel as an ethnic state from this discussion?

- As Shenhav argues, the Israeli-Palestinian conflict in its current form started in 1948 and not 1967. A solution must address all components of the conflict, although it cannot be denied that the occupation represents a specific and acute aspect of the conflict and requires its own solution (but not in isolation from other aspects).
- As Benvenisti argues, a binational reality exists, regardless of the formal political arrangements around it. At the same time, the form and degree of ethnic rule differs for various segments of the Palestinian population who face different challenges as a result.
- As Azoulay and Ophir argue, the regime has a dual character, even if it is embedded in an overall ethnocratic framework (to use Yiftachel's terminology). The democratic façade it displays in 'Israel proper' creates opportunities for changing the ethnic system there and, through that, for changing the regime as a whole.
- As the vision documents demonstrate, Palestinians in Israel have an important political and analytical capacity and have taken the initiative in calling and working for change from within the ethnocratic system itself. Without losing sight of the context of Israeli-Jewish ethnic rule

and expansion that affects all Palestinians, nor of their strategic political location within it, they represent the best potential for changing the overall system – not through their efforts alone but together with all other Jewish and Arab forces seeking progressive change.

Notes

1. Shenhav (2010; 2012).
2. For a critique of this argument, see Glaser (2003) and the chapter by Glaser in this volume.
3. The word 'Mizrahim' literally means Easterners or Orientals and is used in Israel to refer to Israeli Jews from the Middle East and North Africa.
4. The Law of Return is Israeli legislation, enacted in 1950, that gives those of Jewish ancestry and their spouses the right to settle in Israel and gain citizenship.
5. Shenhav, quoted in Noam Sheizaf, 'Endgame.' *Ha'aretz* (Friday supplement), 16 July 2010, <http://www.haaretz.com/weekend/magazine/endgame-1.302128> (in Hebrew, my translation). The settlers and right-wing leaders referred to in the article propose a gradual move (over decades) towards granting citizenship to Palestinian residents of the West Bank, but not of Gaza, without recognising the right of return of refugees into the country, which they insist will remain a Jewish state. For a discussion of some Palestinian perspectives on this, see Rubinstein (2010) and Farsakh (2011).
6. Two veteran anti-Zionist activists have criticized Shenhav's (2010) book for failing to confront the key issues of Zionist settlement. See Aminov (2010) and Honig-Parnass (2011).
7. Eyal (2006).
8. Meron Benvenisti, 'United We Stand.' *Ha'aretz*, 28 January 2010, <http://www.haaretz.com/weekend/magazine/united-we-stand-1.262282>. (All direct quotes by Benvenisti in the paragraphs below are from this article.) An earlier version of the article appeared in the journal *Mitaam* in December 2009 (see Benvenisti 2010). Other versions also circulate on the internet and the one that appeared as 'How Israel became a binational state' in *Ha'aretz*, 22 January 2010, seems to be the most complete.
9. If Palestinians are indeed fragmented into five groups, which increasingly have little to do with each other, Benvenisti may need to explain why a binational model (assuming only two groups) is workable. See

- the criticism by Reuven Kaminer in 'A response to Meron Benvenisti.' 2 February 2010, on the Jews for Justice for Palestinians website, <http://jffjp.com/?p=10062>.
10. Azoulay and Ophir (2008). This work has been translated into English. See Azoulay and Ophir (2012).
 11. The Oslo Accords shifted some administrative responsibilities to the newly established Palestinian Authority, thereby providing Israel with an excuse for avoiding its legal obligations as an occupying power. See Gordon (2008).
 12. Yiftachel (2009).
 13. Adalah (2007), Mada al-Carmel (2007), NCHALAI (2006).
 14. NCHALAI (2006: 5).
 15. NCHALAI (2006: 9).
 16. NCHALAI (2006: 10–11).
 17. Adalah (2007).
 18. Adalah (2007: 4)
 19. This and all the excerpts from the Declaration that follow can be found in Mada al-Carmel (2007: 7–17). Mada al-Carmel, The Arab Center for Applied Social Research, is a Haifa-based policy analysis and research institute which aims to become a hub of knowledge and critical thinking about Palestinians in Israel, equal citizenship and democracy.
 20. In 2008, the year after the Haifa Declaration was issued, the Haifa Conference for the Return of the Palestinian Refugees and the Democratic Secular State in Historic Palestine, organised by dissident Palestinians in Israel, the Abnaa elBalad movement, called for a single state with no ethnic and religious distinctions in the entire country, but without showing any concrete way of linking the disparate struggles of Palestinians in their different locations. A second Haifa conference took place in May 2010. Further information is available at <http://www.rorlstate.org/awda>.
 21. Mada al-Carmel (2009).
 22. The positions on this issue held by leading representatives of the Palestinian population, namely: the Arab High Follow-up Committee, the Israeli Communist Party, the National Democratic Alliance, the Islamic Movement and Abnaa elBalad, are presented at *Jadal*, 5, December 2009: <http://jadal.mada-research.org/?LanguageId=1>.

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Chapter Four

Between colonialism and ethnocracy: 'Creeping apartheid' in Israel/Palestine

Oren Yiftachel

We have managed to create a national agreement about the concept of 'two states for two peoples'.

– Benjamin Netanyahu, 5 July 2009¹

This statement made by Israel's prime minister in reviewing his government's achievements during its first hundred days should make most observers of the Zionist-Palestinian conflict rub their eyes in disbelief. Could it be that the hard-line leader of Likud and the Jewish state believes in a peaceful two-state solution?

This chapter sheds light on this putative policy shift by placing it within the changing political geography of Israel/Palestine, where two contradictory trends are evident. On the one hand, Zionist leaders are declaring their support for peace through Palestinian statehood accompanied by some incidents of Israeli territorial withdrawals. On the other hand, persisting colonial and oppressive practices are working to further Judaise contested space and deny Palestinians – on both sides of the Green Line – their legitimate rights.²

My main contention is that these seemingly contradictory movements are part of a new phase, framing a situation of 'neither two states nor one'. They generate a process I have termed 'creeping apartheid' – an undeclared yet structural process through which new, oppressive sets of political geographic relations are being institutionalised for Jews and Palestinians living under the Israeli regime between Jordan and the sea. This process illuminates the merging of the colonised West Bank, the besieged Gaza Strip and Israel proper into one system, ultimately controlled by the Jewish state, which increasingly appears to bear the characteristics of apartheid. Hence, repeated statements by Israeli leaders in support of Palestinian statehood have thus far functioned to legitimise this oppressive process, rather than lead towards the end of Zionist colonisation and a resolution of the conflict.

I have previously defined the Israeli regime as ‘ethnocratic’ – where the overall logic of ‘ethnisation’ (that is, Judaisation) prevails in all regions, despite differences in their legal and political arrangements such as occupation, extra-sovereign settlement, siege or internal colonisation.³ My argument here builds on this analysis to show how the contradictions of ethnocracy have led to a process that is deepening the ‘separated and unequal’ conditions that prevail in Israel/Palestine. Under these conditions, Jews enjoy relatively ‘equal’ and privileged political and legal positions, while Palestinians are divided into a series of protogroups, each enjoying different and inferior packages of rights and capabilities. Moreover, Palestinians are increasingly confined to the equivalent of ‘black’ and ‘coloured’ ghettos while Jews reside in relatively open localities, in both Israel and the Judaised West Bank.

Israel’s liberalising and globalising tendencies, which harboured some democratising potential, have actually exacerbated the ‘different and unequal’ status of Palestinians and Jews, positively influencing the mainly Jewish groups while generally excluding the Palestinians. The changes have, thus, further widened the gaps based on ethnicity (‘race’), class and region.

Before delving further into the issues, let me define some key terms:

- ‘Apartheid’ means a regime in which groups are forcefully segregated and treated unequally (de jure and de facto) by state regulation on the basis of their collective identities. Apartheid, like other regime types such as democracies, theocracies or dictatorships, has become a generic term and may differ in detail (though not in principle) from the infamous South African model.⁴
- ‘Ethnocracy’ means a regime in which the state is appropriated by a dominant ethnonational group, and used to advance its own ‘ethnising’ political and territorial agendas over contested space, resources and power structures. Most ethnocracies display several of the formal features of a democratic system of governance.
- ‘Colonial’ denotes a process of seizure in which a state or dominant group intrudes into the space and resources of other groups in order to exploit and subordinate them, while denying the indigenous people their right to self-determination and control over their resources.⁵
- Finally, my analysis of the Israeli regime in this chapter covers the whole Israel/Palestine area. This is for the simple reason that a genuine assessment of the nature of any regime necessitates the examination of the entire area under its control.

A strategic shift?

Since 1995, a marked change has taken place in the discourse generated by Israeli leaders towards the management and resolution of the Zionist-Palestinian conflict. This came after decades of intransigent denial of the Palestinian right to self-determination and statehood and support for Jewish expansionism in the Occupied Palestinian Territory and in Palestinian regions inside Israel.

The new discourse began with Yitzhak Rabin's willingness to recognise the Palestine Liberation Organization (PLO) and 'Palestinian national political rights' as enshrined in the Oslo Accords, and by Ehud Barak's Camp David and Taba negotiations for a Palestinian state and withdrawal from Lebanon. The change became even more evident when supported by rightist nationalist leaders such as Ariel Sharon, Ehud Olmert and Binyamin Netanyahu, who had previously built their careers on advancing Zionist colonialism and violent aggression in an effort to achieve what Kimmerling aptly termed the 'politicide' of the Palestinians.⁶ But, in the last decade or so, these leaders have conspicuously changed their rhetoric (if not always their actions). For example, during his reign as Israeli prime minister from 2006 to 2009, Olmert actively sought to negotiate a two-state agreement with Mahmoud Abbas, president of the Palestinian Authority and, in a rare spurt of frankness, Olmert declared:

The creation of a Palestinian state is a vital Israeli interest... failure to reach a peace agreement and create a viable Palestinian state could plunge Israel into a South African-style apartheid struggle... [This would mean] the state of Israel is finished.⁷

Olmert was supported by his Foreign Minister, Tzipi Livni, who later became the leader of Israel's largest party, Kadima, and whose campaign for the 2009 elections was heavily focused on the two-state horizon. Since then, as noted, even Netanyahu – for years a hard-line rejectionist – has made an about face and agreed to the establishment of a (demilitarised) Palestinian state.⁸

This transformation was also starkly evident during the (2001 to 2005) reign of Ariel Sharon – 'father' of the Jewish colonisation of Palestine and a ruthless military leader bent on destroying Palestinian nationhood and rights. Note, for example, the following two statements:

Under my leadership there will be no empty concessions to the Palestinians... the fate of Netzarim and Kfar Darom [the most isolated Jewish settlements in the Gaza Strip] is the same as Tel Aviv. (Ariel Sharon, 11 December 2002)

It is impossible to continue keeping 3.5 million Palestinians under occupation – yes it is occupation, and it is bad for Israel... Controlling 3.5 million Palestinians cannot go on forever. (Ariel Sharon, 26 December 2003)⁹

These two statements – made within the space of just twelve months – voice diametrically opposing views on Israel's intentions regarding the Occupied Territory. Moreover – unlike most other Israeli leaders – Sharon turned his intentions into concrete action by leading a unilateral military withdrawal and evacuation from twenty-five Jewish settlements in the Gaza Strip and northern West Bank. This was the first time that Israel voluntarily evacuated settlements from areas it considered to be part of the Jewish homeland.

How can we account for this transformation? Do these moves by a string of rightist Israeli prime ministers herald the long-awaited crossing of the peace Rubicon? Are we heading towards the end of Israeli colonialism as part of a two-state solution?

My answer is no. The transformation is significant, as it clearly exposes the existence of a new political geographic phase and highlights the demise of the 'Greater Israel' agenda. However, this change is unlikely to lead to the establishment of a viable Palestinian state in the foreseeable future, nor to a single democratic state between Jordan and the sea. Instead, it is likely to deepen the institutionalisation and legitimisation of an apartheid reality.

A Palestinian state may possibly be created as a result of international pressure led by the Obama administration. Yet if such a state does not enjoy full sovereignty or contiguity (and it is generally proposed in Israeli and international circles that it should not enjoy either), it is unlikely to resolve the Zionist-Palestinian conflict and may simply become a modified 'bantustan'.

This is not inevitable, however. A viable and sovereign Palestinian state, and the implementation of international law and Palestinian rights (without sacrificing legitimate Israeli rights), could stabilise the region. Yet, such a peaceful trajectory would require both Jews and Palestinians,

and especially the former, to deal with the core issues shaping the conflict, such as the consequences of the Nakba,¹⁰ the plight of Palestinian refugees, Jerusalem, the land regime and the future of Palestinians inside Israel. It appears unlikely that any of the existing political forces, including Israel's imperial American patron or the hesitant European and Arab states, have the power to make Israel engage with these issues and thus halt the slide into a geography of apartheid.

A new phase

The contours of the recent phase in the land's political geography are complex, including measured readjustments, some shrinking of the Zionist colonial territorial project and new forms of domination over Palestine and Palestinians. The new phase follows decades of unabated Zionist demographic and spatial expansionism characterised by Jewish-only immigration, tight military control, the construction of some eight hundred Jewish settlements inside Israel proper plus over two hundred settlements in the Occupied Territory, massive land confiscation and uncompromising attempts to Judaise the entire area of Israel/Palestine.

Transition to the new phase occurred gradually in response to a range of events that demonstrated the non-sustainability of the previous colonial impetus such as the two intifadas, suicide attacks on Israeli civilians, the rise of Hamas and its rocket campaign from Gaza and growing pressure on Israel's illegal colonialism in an increasingly antagonistic international environment. In this context, Israeli elites began to realise that further expansion and direct oppression would carry high security, economic and social costs as they run counter to the increasingly prevalent agendas of liberalisation and globalisation.

In the absence of a genuine move towards reconciliation, however, Israel sought to rearrange its control over Israel/Palestine so as to minimise violence and costs. The overall strategy was *unilateral and oppressive separation* which saw the creation of parallel geographies for Palestinians and Jews in the West Bank, the evacuation of Gaza and the maintenance of segregation inside Israel.¹¹

Within the overall thrust for consolidation and separation, Israel's moves were often confused and contradictory. On the one hand, they included aggressive policies such as the construction of new 'outpost' settlements to function as 'wedges' between Palestinian localities, the accelerated expansion of existing Jewish settlements, increased 'anti

terror' offensives using state terror against civilians, the construction of the massive illegal separation barrier in the West Bank; the three-year siege of Gaza and the highly destructive invasions of southern Lebanon and Gaza. These moves were echoed by the tightening of control over Palestinian citizens of Israel, who experienced a string of legislation and discriminatory policies that have shrunk their political and civil status within the Jewish state.¹² On the other hand, during the same period, Israel also made moves to partially acknowledge Palestinian rights: it recognised the Palestinian national movement and the PLO, allowed the Palestinian National Authority to establish itself and, as mentioned, declared its support for Palestinian statehood – which had been rejected by over ninety per cent of Israeli Jews only a decade earlier. Israel also retreated from the main Palestinian towns and cities, from southern Lebanon and the Gaza Strip, evacuated settlements, enshrined previously denied Palestinian rights to purchase Israeli state land and acknowledged ten (out of forty-five) previously 'unrecognised' Bedouin villages in the Naqab/Negev region. According to repeated surveys, a steady majority of Jews agrees that Palestinian citizens should have equal rights in Israel proper and that Israel should reach peace with a Palestinian state to be established on most of the land that constitutes the Occupied Territory.¹³

Yet, barring the imposition of massive international pressure, recent changes do not provide sufficient foundation for ending Israeli colonialism, because they are based on tactical and utilitarian calculations rather than on a drive for reconciliation. Zionism remains a deeply ethnocentric movement premised on a self-constructed narrative of a 'historic right' to the entire 'promised land' (Palestine/Eretz Israel) and on the associated othering and dispossession of the Palestinians who object to the exclusivity of that right. This makes most Jews unable to deal with the core issues of the conflict, such as Israel's role in the Nakba – which remains the Archimedean point on which the Israeli regime is constructed. Denial of the Nakba has become the cornerstone of Israeli ethnocracy. By justifying ethnic cleansing and the destruction of over four hundred Palestinian villages and towns, this denial has become a core Zionist value, fuelling the 'right' of Jews to continue to colonise Palestine.¹⁴

Under these political and psychological conditions, most Israeli Jews refrain from dealing, on a political or moral level, with key related issues such as the plight of Palestinian refugees, the future of East Jerusalem, legitimate state borders and the status of Palestinians inside Israel. In Zionist

discourse, this avoidance is wrapped in a continuous public invocation of (often genuine) communal fears in the face of anti-Jewish violence, and the growing counter-colonial – and at times antisemitic – discourse of Hamas and its allies. Often-invoked memories of the Holocaust and distorted representations of Palestinian and Arab intentions towards Israel prevent genuine ideological shifts. This fundamental denial stirred Israel to make historically significant unilateral moves towards Palestinians on both sides of the Green Line, using security measures rather than political means. These moves have simply amplified the uneven spatial and political dialectics that produce apartheid conditions.

Ethnocracy and ‘democracy’

Apartheid-like relations always develop on the basis of existing political and cultural foundations. In Israel, conditions have always been susceptible to this, given the state’s long-standing ethnocratic regime and the racist treatment meted out to Palestinians who stand in the way of the state’s drive for Judaisation. On a more conceptual level, ethnocratic regimes are commonly found in contested territories in which a dominant ethnic nation appropriates the state apparatus to further its expansionist aspirations. Significantly though, these regimes tend to selectively apply some democratic procedures to groups under their control. This democratic self-portrayal is structurally significant as it legitimises the ethnocratic project in the eyes of the dominant group (and in some international circles) and it allows the subordinate groups to mobilise politically and enjoy some important (if not equal) civil and political rights.

But within these thin (and often partial) democratic formalities, ethnocratic states such as Israel are typified by the ongoing (internal and external) colonial subjection and exploitation of weakened groups which invariably – and often violently – resist this order. This asymmetric dialectic tends to essentialise identities and polarise spatial and political systems. Examples of ethnocratic regimes include Serbia, Estonia, Latvia, Sri Lanka, Sudan, Turkey, apartheid South Africa and nineteenth-century Australia.¹⁵

Despite Israel’s history of eviction, conflict, conquest and colonial occupation, most scholars, politicians and the public still perceive it as a democratic state. Even some critical scholars use the term ‘Israeli democracy’, adding further qualifying phrases such as ‘imagined democracy’, ‘ethnic democracy’ or ‘deeply flawed democracy’.¹⁶ This

tendency draws on the ongoing illusion that 'Israel' can be neatly defined as a regime that operates within the Green Line, even though the very same regime has settled hundreds of thousands of Jews in the Occupied Territory and separated them legally and spatially from local Arabs.

Israel proper does allow for significant democratic practices such as periodic (though neither universal nor free) elections and the protection of important civil (if not human) rights such as freedom of speech, movement and association, gender equality and gay rights; there is also a strong and relatively independent judiciary and the media is reasonably free. Furthermore, with greater exposure to privatisation and globalisation since the early 1990s and the associated international standards and influx of foreign investment, Israeli society has undergone significant liberalisation. This has allowed Israelis greater economic and cultural freedoms, and enabled them to portray their nation as western, free and progressive.¹⁷

However, the positive impact of these changes have mainly been confined to Jews who, in return, continue to provide the regime with vital legitimacy, while Palestinians remain either on the margins or locked out of the globalising economy, polity and culture. In addition, these 'democratising' changes have not modified the most oppressive facets of the Israeli regime, such as the ongoing Judaisation of land; the disenfranchisement of nearly four million Palestinians; the central role of the military and security forces; Jewish-only immigration policies and the structural marginalisation of 1.2 million Palestinian citizens.

In these circumstances, how is it possible for scholars to present Israel as a democracy? Critical analysis identifies the key manipulative practices through which power has distorted academic discourse. For example:

- 'extracting' the Israeli state from history by ignoring the massive transformation that took place during the Nakba, which formed the basic foundation of the state that is now jealously protected by the current Israeli regime;
- 'extracting' the Israeli regime from geography by ignoring the fact that there are over four million disenfranchised Palestinians in Israel/Palestine while Jewish settlers in the same region receive full civil and political rights;
- overlooking the substantive colonial activities of the Israeli regime, a topic to which we now turn.

Colonial momentum

The historical colonial momentum of Israel's regime is particularly important for the formation of the apartheid-type relations that are now prevalent in the region. This requires some elaboration. Historically, Zionist colonisation developed in five main stages. The *first*, from the late nineteenth century until 1947, can be termed 'a colonialism of survival' during which most Jews fled to Palestine as refugees, before and after the Holocaust. In Palestine, under the banner of Zionism, they expanded their settled area through land purchases and the building of settlements (on just five per cent of the land), while building national institutions and armed forces, as the foundations of a future state.

The *second* stage occurred during the war of 1947 to 1949 and saw the establishment of the state of Israel, following Arab rejection of the UN partition plan and their attack on the nascent Israeli state. The war saw Palestine being conquered, separately, by Israel, Jordan and Egypt and the onset of the Nakba. As noted, this is arguably the most significant stage in terms of shaping the Israeli regime which has since been built to protect the military and demographic 'achievements' of that war such as the seizure of Palestinian territory beyond the UN allocation and the driving out of the Arab majority that lived there. During this period, Israel was accepted as a member of the UN, thus ensuring its international legitimacy. At the same time, the Palestinians became a fragmented and defeated nation. They lost control of most of their land inside Israel proper and became a nation of refugees dispersed between six other states, powerless to contest the Judaisation of their homeland.

The *third* phase, from 1949 to 1967, was typified by internal colonialism during which most Arab localities within Israel were destroyed and their lands thoroughly Judaised. The return of refugees was prohibited and they became dispersed into camps located in foreign lands.¹⁸ At the same time, massive Jewish immigration, mainly of refugees or forced migrants from Europe and the Arab world, created hundreds of new Jewish settlements on land previously owned by Arabs. Jewish settlement was not only aimed at deArabising Palestine, but also at Zionist nation-building through centralised, modernised, national planning. During this period, Israel established a formal democracy, although its Palestinian citizens were concentrated in ghettoised enclaves and placed under military administration until 1966.

The *fourth* phase, from 1967 to 1993, followed the Israeli conquest of Gaza and the West Bank and saw the implementation of a massive state-sponsored colonisation project. Over one hundred Jewish settlements, hosting nearly half a million Jews, were built in breach of international law. This included settlement building in occupied Arab Jerusalem which had been partially and illegally annexed to Israel. During this period, religious narratives became central to the spatial imagination of both nations and to the justification of the escalating violence. Accordingly, much of the Jewish settlement of Palestinian territory was driven by the religious narrative of 'a return to sacred sites'. Palestinian resistance, on the other hand, increasingly used Islamic rhetoric to defend its land and resources. Judaisation continued mainly through the construction of dozens of semi-suburban Jewish settlements in predominantly Arab areas as Israel maintained tight control over Arab construction and access to land.

The *fifth* stage, from 1993 to the present, effectively marks the end of Zionist expansionism through a process of 'oppressive consolidation'. The geography of this stage is characterised by an overall stalemate with minor adjustments. This is critical to understanding the gradual introduction of apartheid-style mechanisms that attempted to 'restrain' the resisting population under unacceptable geographical and political conditions. This also gives rise to polarising and radicalising dynamics such as the victory of Hamas in the 2006 Palestinian elections and its violent takeover of Gaza in 2007, as well as the rise of the two hard-line Likud governments, the first in 2001 and the second in 2009.

'Creeping apartheid'

Why do apartheid-style relations seem to have become more conspicuous in recent years? Why have they entered political and legal discourses about Israel/Palestine? Why have international reports and key commentators such as John Dugard, Desmond Tutu and Jimmy Carter described the Israeli regime as one that is 'sliding towards apartheid'? This timing is not accidental. It corresponds to the fifth phase of Jewish colonisation described above. In more conceptual terms, apartheid aims to institutionalise and stabilise ethnic/racial relations based on domination and exploitation. This is particularly 'necessary' for the ruling power in situations where the colonial momentum slows down, as is the case with Israel. At this point, when the dominant group attempts to reduce the cost of control while maintaining political and military superiority, apartheid-type

practices are introduced. Over time, a growing number of such practices become 'necessary' to fend off the struggle of the marginalised for equality and rights. Hence, we see the current political-geographic phase in which Israeli expansion is checked and reversed without a change in state ideology, giving rise instead to the gradual institutionalisation of 'separate and unequal' relations, regulations and practices.

However, the definition of 'the Israeli regime' is complicated by several factors, not the least of which is the mismatch between the territory controlled by the regime and the state's internationally recognised borders. 'Apartheid' in Israel/Palestine is therefore more of a process than a neatly defined system of government. Under the prevailing conditions, the occupation of Palestine (and the associated discrimination against the Palestinians) is considered by Israel, and to some extent by international law, as 'temporary' and is often justified by the security rationale of the military occupier. Clearly, the 'temporariness' of the occupation, and Israel's self-defined 'security needs', are manipulations of international law. While they are still used in public discourse by Israeli elites and their apologists, their legal and political power is waning.

Furthermore, even according to Jewish discourses, Jewish settlements in the West Bank, that is, beyond the state's recognised sovereign territory, have been built as both civilian and permanent. This makes it impossible to understand their existence, as claimed by Israel, as part of a temporary military occupation. Given the massive civilian settlement and Israeli military control, anyone can observe that the Palestinians have been unwillingly and unwittingly incorporated by the regime as third-class subjects. At the same time, Israel has an interest in perpetually representing this situation as 'temporary', thereby circumventing the need to endow Palestinians with full civil rights.

Ongoing Judaisation also polarises relations inside Israel as it creeps and encroaches into Israel proper, albeit with lesser severity. For example, a series of controlling regulations restricting the movements, personal freedom, employment, land and political rights of Palestinian citizens inside Israel have been implemented since 2002. This has been accompanied by an openly racist political discourse laden with threats to strip Palestinians of their Israeli citizenship.¹⁹

The 'creeping' effect is most severely felt among Bedouin Palestinians in the Naqab/Negev region, who struggle against constant threats to their ancestral land. As part of denying their land and residency rights, the state

denies the Bedouins basic services such as water, electricity, roads and schooling. State violence is also frequently used against the Bedouins, with 604 unauthorised homes demolished between 2001 and 2008.²⁰ In some important respects, the insecurity and poor conditions suffered by Bedouins in the unrecognised villages are worse than those endured by their brethren in the West Bank and Gaza. Their conditions provide a stark reminder of the encroachment of apartheid-like practices on both sides of the Green Line.

The vagueness invoked by the adjective ‘creeping’ alludes to another definitional difficulty, namely the existence of legal and political differences between the various Arab areas under Israeli control. Accordingly, the West Bank is officially designated as existing under ‘belligerent occupation’ and the Gaza Strip as ‘hostile territory’, while Israel proper is commonly (and problematically) defined as a formal democracy where Palestinians have *de jure* equal individual (though not collective) sets of rights.

However, as is widely known, Israel itself ruptured the boundaries between these areas and thus undermined any ‘neat’ distinction between their legal-political statuses. Israeli law and *de facto* annexation have been imposed over all Jewish settlements and its jurisdiction now covers forty-four per cent of the West Bank. Israel continues to control nearly all the key components of sovereignty in the West Bank and Gaza, such as immigration, population registration, imports and exports, water management, transport infrastructure, land and planning policies, foreign relations and investment. Simultaneously, Arab citizenship inside Israel has been reduced *de facto* and *de jure* to second-class status.

Given these conditions, it is no longer possible to distinguish between different regimes in Israel/Palestine as one central power – the Jewish state – effectively controls the entire land. Hence, to better understand the nature of the current regime, we may examine the gradations in rights and capabilities between Jews and Palestinians and among various groups of Palestinians. In so doing, we can distinguish between varying depths of Israeli oppression and between the different ‘bundles of rights’ each group can exercise according to the changing geographies and their legal and institutional settings.

Using this perspective, the apartheid process becomes clearer as Israel officially ‘ranks’ Palestinian groups and awards them different statuses according to a combination of ethnicity and location, while Jews remain equal in their full civil status throughout the entire area.²¹ Palestinians

are separated into the following main groups: the Druze;²² Palestinians in Galilee and the towns and villages in the 'triangle region' adjacent to the West Bank border; Palestinians in Jerusalem; Bedouins in the Naqab; other Palestinians in the West bank; Gazans and refugees currently located outside of Israel's control and whose claims to residency and property rights are denied by the regime.

The logic of Judaisation underpins Israeli policies towards all these groups, although they appear to merge into two main Arab statuses – non-citizen residents in the Occupied Territory and marginalised citizens within Israel proper. Although both groups are subject to Judaisation policies, the variation in their legal standing and their varied exposure to oppression and violence does make a significant difference to their life chances, their economic status and their ability to exercise their rights. These structural differences must be incorporated into an understanding of the 'separate and unequal' regime.

By employing the language of apartheid South Africa, Israel appears to have created three 'master types' of civil status in the areas under its control: 'white' (Jewish), 'coloured' (Palestinian with Israeli citizenship) and 'black' (Palestinians in the colonised/occupied territories). This is a vivid manifestation of 'creeping apartheid'. The differences are political, legal and material and they are conspicuous in many fields of life.

Two brief examples will illustrate the point. First, in terms of socioeconomic status: Jewish GDP per capita in 2006 was ten times higher than that of people in the Occupied Territory, and twice as high as that of Palestinians in Israel. Unemployment figures reveal a similar trend: in the Occupied Territory, unemployment in 2006 reached fifty to sixty per cent, while hovering around twelve to fifteen per cent among Palestinians in Israel and around half that figure among Jews. Around forty-five per cent of Palestinians in the Occupied Territory live in poverty, while in Israel some fifty-eight per cent of Palestinians and seventeen per cent of Jews are considered poor.²³

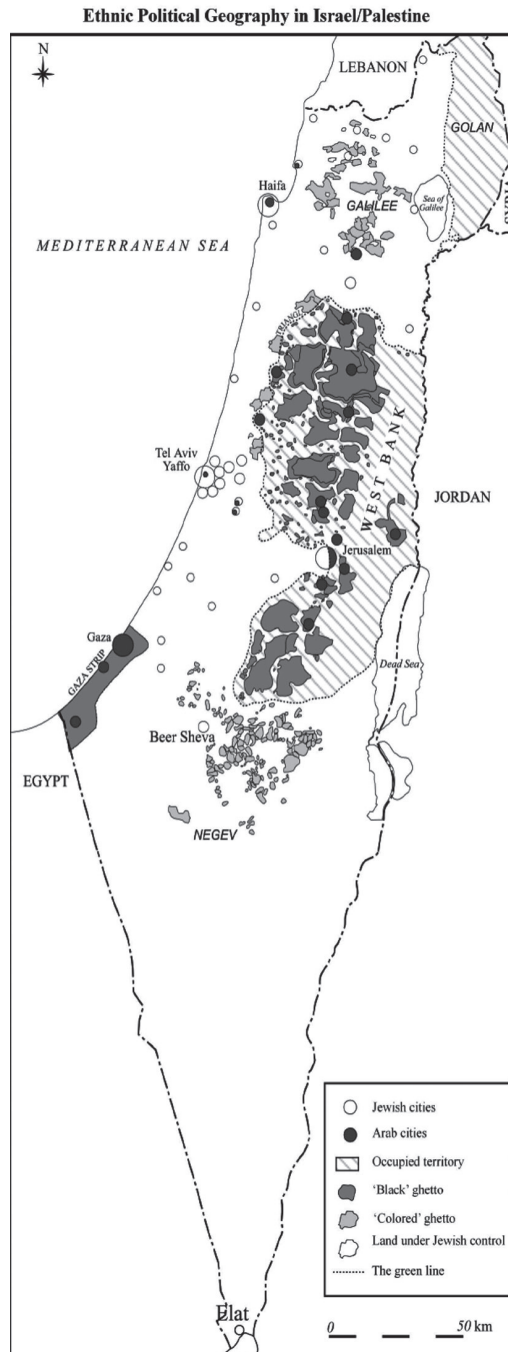
Second, in terms of construction and demolitions, the gradations of civil status are similarly obvious. In the West Bank's Area C, only one of 149 Palestinian localities had an approved plan by 2008, without which new buildings cannot legally be constructed. Consequently, 1 626 houses were demolished in the area between 2000 and 2008, and a further 4 820 received demolition orders. Similarly, though less severely, about half of the Palestinian communities in Israel suffer a lack of approved plans

and are constantly subjected to planning conflicts, de-development and widespread house demolitions. In 2000 alone, there were 22 000 unauthorised buildings in the Palestinian parts of Israel's central and northern regions, and 16 000 in Jewish settlements. In this context, Arabs had suffered over eight hundred demolitions in the preceding decade, while Jewish areas saw just twenty-four demolitions.²⁴ This disparity was demonstrated again by sixty-two 'family farms' built by Jewish Israelis in the Negev region without planning approval. Despite appeals by several human-rights and environmental groups against their establishment, all were retrospectively legalised by a law enacted in 2009. Meanwhile 604 Bedouin homes built on ancestral land were demolished in the same area between 2000 and 2008.²⁵

Ghettoised geography

Geography is vital because creeping apartheid relies heavily on spatial policies and practices entailing a range of skewed settlement, land, development and boundary demarcation policies and regulations. Palestinians make up forty-eight per cent of the population that lives between Jordan and the sea, but they control only fifteen per cent of the land. Jewish groups and authorities control the other eighty-five per cent, including most of the public amenities and natural resources. Inside the Green Line, the inequalities are even more stark: Palestinians make up eighteen per cent of the population but control less than three per cent of the land (see map on page 109). Looking back to 1947, Jewish individuals and institutions controlled only five per cent of historic Palestine – just seven per cent of the land that later became Israel.

As a result, the areas inhabited by Palestinians turned into a set of ghettoised enclaves all but frozen in size since 1948. On the other hand, Jewish areas have expanded greatly in terms of living space and Jews enjoy freedom of habitation, settlement and travel throughout the vast majority of the land. Here too, the geography of Israel/Palestine has become characterised by three types of ethnic environments that can be seen as the equivalent of 'black', 'coloured' and 'white' in apartheid terms. 'Black' ghettos, mainly in Gaza and the West Bank, are harshly and violently controlled and their residents are confined by severe restrictions on movement and development. 'Black' ghettos are also internally divided by a series of externally imposed restrictions typically corresponding to the 'needs' of Jewish settlements and security.



‘Coloured’ ghettos, where most Palestinian citizens of Israel and East Jerusalem reside, have ‘softer’ boundaries but are also highly restrictive in terms of the land rights and development options available to their inhabitants. For example, Palestinians in Israel experience considerable difficulties in moving out of their ghettoised spaces due to restrictions on their ability to purchase land and the lack of educational, cultural and religious facilities in areas outside their enclaves. A key point in the ghettoisation of Arab areas is not only their inferior status in comparison to Jews, but also the prevention of movement between them. A notable example is the restriction on marriage between Palestinians from the Occupied Territory and Israeli Palestinians. Most boundaries, not least the Green Line, apply to Palestinians only, while Jews move freely across them.

In contrast, the ‘white spaces’ where most Jews reside exist in a variety of shapes and forms, the classification of which is beyond the scope of this chapter. Importantly, they are all situated within the relatively vast and contiguous Jewish territory (appearing as white spaces on the map) precisely because the state effectively Judaises all spaces where Jews settle. They enjoy freedom of movement and associated rights. The uniform legal and geographical status of Jewish space between Jordan and the sea effectively connects the variegated Arab spaces under the one regime. Jewish localities are relatively open, with boundaries generated from within mainly to prevent the entry of Palestinians and, in some cases, ‘undesirable’ Jews (such as members of ‘lower’ classes or those who are seen to have marginalised or ‘threatening’ identities, such as Russian Jews, Mizrahi and, especially, religious groups). The mobility of Jews to reside and purchase land throughout Israel/Palestine is protected by law, policy and practice.

To sum up then, ‘creeping apartheid’ has resulted in the creation of ‘smooth spaces’ for Jews in the vast majority of Israel/Palestine and beyond (through globalisation and development), whereas Palestinian spaces have become increasingly ‘rough’ through ghettoisation and fragmentation. While the roots of this system date back to the ethnic cleansing, settlement and land appropriations of the late 1940s, spatial oppression has tightened significantly precisely during the period when Israel declared its willingness to work towards peace and Palestinian statehood.

Beyond ‘creeping apartheid’?

Changing political discourse in support of Palestinian statehood possesses some potential to move the political geography of Israel/Palestine towards

peace and reconciliation. However, a close examination of the political and geographical dynamics behind the verbal shift reveals that they have so far acted to legitimise a strategy of 'oppressive consolidation' during which Israel has readjusted its strategies and technologies for colonising and controlling the Palestinians. Jewish expansionism appears to be ending, but it is being transformed to a 'politics of ghettoisation' which continues to deny legitimate and equal rights to Palestinians on both sides of the Green Line. As shown, an ensemble of policies, discourses and regulations have combined to create a political geography best described as 'creeping apartheid'. This is a highly oppressive and internationally illegal order, replete with suffering and occasional outbursts of violence.

It is important to better understand the transformation of colonial and ethnocratic regimes into apartheid-style states. For example, attention may be given to the legal and political potential and limitations of 'temporariness'. For how long will Israel be able to uphold the 'temporary' nature of its occupation without being declared an apartheid state by the international community? This is a key question, and should become a focus of future research on the subject.

Furthermore, scholars may want to investigate the various types of apartheid regimes, which deviate in detail but not in principle from the South African experience. In this vein, it appears the apartheid emerging in Israel/Palestine is based on ethnic, national and religious categories, rather than 'racial' categories based on skin colour. Does this entail any political and moral difference? Does Israel more closely resemble the Serbian model of apartheid than the South African one? And related to this, what difference does the existence of the state of Israel, with its legitimate UN standing, make to prospects for the resolution of the conflict?

In addition, the intersection of identity and class is critical, and scholars may wish to consider the connections between apartheid-style forced separation and the accelerating privatisation and globalisation of the economy in Israel/Palestine. What role do American and European economies play in this process? What are the consequences of the massive importation of foreign labour to replace Palestinian workers? How does the apartheid process feed on rapid accumulation of capital among small national elites? And, finally, is the ghettoisation of the Palestinians affecting a parallel economic and political ghettoisation of Israel itself in the Middle East?

Politically, several visions can be articulated to resolve the predicament. My approach calls for a serious re-examination of socially progressive

binationalism as a possible peaceful order for the future of Israel/Palestine. Binationalism can be accommodated in various political settings, including urban and communal, as well as on a state and international scale. In my work, I find an Israeli-Palestinian confederation (possibly leading to a federation), with a joint economy, capital city and open borders, and with fair accommodation of the Palestinian refugees, to be the most appropriate. Discussions about these options have already begun in several intellectual and political arenas, and are likely to accelerate. They may sew the intellectual and political seeds for a genuine peaceful and just future for this torn land.

Notes

1. See: <http://www.nrg.co.il/online/1/ART1/912/102.html> and <http://www.israelpolicyforum.org/blog/israeli-reactions-netanyahus-bar-ilan-speech>. To be sure, Netanyahu's speech added a series of near impossible conditions for the creation of a Palestinian state, such as demilitarisation, recognition of Israel as a Jewish State, denial of the Palestinian right of return, a 'united' Jewish Jerusalem and the establishment of 'defensible borders'. Most Palestinian commentators and officials rejected Netanyahu's offer from the outset.
2. Given space limitations, the current account is inevitably too brief although, at various points in the chapter, I refer willing readers to a range of more in-depth sources.
3. See Yiftachel (2006a and 2006b).
4. The apartheid analogy has been used increasingly to analytically define racist states around the world, such as the Serbian, Northern Irish, Sudanese and American regimes. See, for example, Richmond (2005).
5. For a full discussion on regime types, see Bealey (2008) and Gregory et al. (2009). For debates on ethnocracy, see Yiftachel & Ghanem (2004).
6. Kimmerling (2005); see also: Hilal, (2008); Lentin (2008); Weizman (2007); Yiftachel (2006a).
7. See: <http://www.cbsnews.com/stories/2007/11/29/world/main3552151.shtml>.
8. See: <http://www.israelpolicyforum.org/blog/israeli-reactions-netanyahus-bar-ilan-speech>.
9. The first statement is from Ariel Sharon, *Maariv*, 11 December 2002; the second is from an address he made to fellow Likud members on 26 December 2003.

10. The Nakba (catastrophe) refers to the displacement and expulsion of Palestinians from their land after Israel's declaration of independence in 1948. Some two-thirds of Palestinians were driven out of their land in an act of ethnic cleansing.
11. See Gordon (2008).
12. On ethnocratic policies within Israel, see Yiftachel (2006b; 2009).
13. For the nature of this distorted discourse, see Grinberg (2009), LeVine (2009) and Meital (2005).
14. For data on public opinion regarding war and peace from both Palestinian and Israeli sources, see: <http://www.palestine-pmc.com/details.asp?cat=3&id=512> and http://www.dispute.tau.ac.il/index.php?option=com_content&view=article&id=51&Itemid=69&lang=en.
15. See Yiftachel and Ghanem (2004).
16. For extensive coverage of the debate over the nature of the Israeli 'democracy', see Grinberg (2009) and Chapter 4 of Yiftachel (2006a).
17. See Ram (2008).
18. There are approximately 4.7 million people in fifty-eight UN-recognised Palestinian refugee camps in Jordan, Lebanon, Syria, the West Bank and the Gaza Strip (see <http://www.unrwa.org/>).
19. For details of these policies, see the websites of Adalah, Mada al-Carmel and Mossawa: <http://www.adalah.org/eng/>; <http://www.mada-research.org> and <http://www.mossawacenter.org>.
20. For data on policies towards the Bedouins and their struggle, see the records of the Regional Council of Unrecognized Villages at <http://www.rcuv.net>.
21. Jewish groups display important ethnic, class and religious differences that greatly affect their citizenship. For example, hundreds of thousands of 'ethnic Jews', mainly from the Soviet Union and Ethiopia, are defined religiously as 'non Jews', which has a negative impact on their civil status. However, in the main, Jewish citizenship is formally unified and equal.
22. The Druze are institutionally and economically privileged in comparison to other Arabs due to their service in the Israeli Defense Force and their acceptance of Zionism. Bedouins in the Naqab are denied rights to their ancestral lands; they are subject to harsh policies of control in dozens of 'unrecognised' villages and in seven planned 'concentration towns'; see Yiftachel (2006a: Chapter 9).

23. For more detail on the issues of GDP per capita, unemployment and poverty, see the annual reports of the Association for the Advancement of Civic Equality in Israel (Sikkuy): <http://www.sikkuy.org.il/english/reports.html>.
24. Gazit (2004).
25. For detailed data on the West Bank, see 'The Forbidden Zone', <http://www.bimkom.org/publicationView.asp?publicationId=140>; for data on Israel proper, see Gazit (2004); for data on Bedouin building and house demolitions, see: <http://www.rcuv.net>.

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Chapter Five

Israel through the prism of international law

Max du Plessis

On 16 May 2009, in London, the Human Sciences Research Council of South Africa (HSRC), a statutory research agency, launched the results of a study it had commissioned and which had been co-ordinated by its Democracy and Governance Programme's Middle East Project. The study's title was *Occupation, Colonialism, Apartheid? A Re-assessment of Israel's Practices in the Occupied Palestinian Territories Under International Law*.¹ Conducted over a period of fifteen months, the study was the result of extensive research, discussion and debate involving an international team of scholars.²

The aim of the study was to test a hypothesis posed by John Dugard in a report presented to the United Nations Human Rights Council in January 2007.³ At the time, Dugard was a UN Special Rapporteur on the human rights situation in the Occupied Palestinian Territory (OPT) – the West Bank, including East Jerusalem, and Gaza. Dugard posed the following question:

Israel is clearly in military occupation of the OPT. At the same time, elements of the occupation constitute forms of colonialism and of apartheid, which are contrary to international law. What are the legal consequences of a regime of prolonged occupation with features of colonialism and apartheid for the occupied people, the Occupying Power and third States?

To consider these consequences, the HSRC study set out to examine legally the premises of Dugard's question: is Israel the occupant of the OPT and, if so, do elements of its occupation of these territories amount to colonialism or apartheid? It was felt that South Africa had an obvious interest in these questions given its bitter history of apartheid, which entailed the denial of self-determination to its majority population and, during its occupation of Namibia, the extension of apartheid to that territory, which South Africa effectively sought to colonise.

The scope of the HSRC study was determined by the question it poses: do Israel's practices in the OPT amount to colonialism or apartheid under

international law.⁴ The study examined Israel's practices in the OPT in relation to the prohibition of colonialism in international law – as set down in the Declaration on the Granting of Independence to Colonial Countries and Peoples⁵ and other legal instruments. The study found that there were five aspects of Israeli rule in the OPT, each of which unlawful in itself and which, combined, give it a colonial character. Thus, in an ongoing manner Israel is involved in:

- violating the territorial integrity of occupied territory;
- depriving the population of occupied territory of the capacity for self-governance;
- integrating the economy of occupied territory into that of the occupant;
- breaching the principle of permanent sovereignty over natural resources in relation to the occupied territory; and
- denying the population of occupied territory the right freely to express, develop and practise its culture.

Thus, while Dugard had suggested that elements of the occupation had resembled colonialism, the HSRC study demonstrated that the implementation of a colonial policy by Israel had not been piecemeal but systematic and comprehensive and that the Palestinian population's right to self-determination had been frustrated in all its principal modes of expression.

Regarding apartheid, the HSRC study noted that, as the most egregious form of racial discrimination, the practice of apartheid was clearly proscribed by customary international law and its prohibition was established as a norm of *jus cogens*. Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination⁶ prohibits the practice of apartheid. Subsequent legal instruments, primarily in the form of the International Convention on the Suppression and Punishment of the Crime of Apartheid⁷ and the Rome Statute of the International Criminal Court⁸ developed the norm against the practice of apartheid and provide further elaboration of its definition in international law.

The core element of the definition of apartheid is the systematic, institutionalised and oppressive character of the discrimination involved and the aim of domination entailed in this. This is what distinguishes the practice of apartheid from other forms of prohibited discrimination. Apartheid also inherently amounts to a denial of the right to self-determination. The precedent of South African apartheid in Namibia demonstrates that apartheid can be practised by a state beyond its own borders.

The HSRC study concluded that Israel had violated the Convention on the Suppression of Apartheid and had established a system of racial domination over the Palestinians through the fragmentation of the OPT, the creation of separate reserves for Jewish and Palestinian groups and by imposing severe restrictions on freedom of movement and residence for Palestinians. The system encompassed further institutionalised discrimination against Palestinians in that Jewish-Israeli settlers enjoyed a panoply of civil, political, social, economic and cultural rights, while a matrix of draconian security laws and policies subjected opponents of Israel's regime of domination to, inter alia, extra-judicial executions, torture and arbitrary detention. Central to the conclusion of the HSRC report was the finding that the 'inhuman acts' being committed by Israel in the OPT, and detailed in the study, do not occur in random or isolated instances but as integrated and complementary elements of an institutionalised and oppressive system of Israeli domination and oppression over Palestinians as a group; that is, in a system of apartheid.

The conclusion that Israel is in breach of the internationally accepted legal prohibitions against apartheid and colonialism in the OPT suggests that the occupation itself is illegal on these grounds. The legal consequences of this finding are grave and entail obligations not merely for Israel but also for the international community as a whole. The HSRC study outlined these obligations as follows:

- Since Israel bears primary responsibility for the illegal situation it has created, Israel should cease its unlawful activity and dismantle the structures and institutions of colonialism and apartheid that it has created.
- Israel is required by international law to make reparations and offer compensation in order to eliminate the consequences of its unlawful acts.
- Both Israel and the international community are legally bound to promote the Palestinian people's right to self-determination, to determine its political status and to freely pursue its own economic policies and social and cultural development.
- Third states are bound under the principles of public international law to co-operate to end Israel's practices of colonialism and apartheid, to abstain from recognising the illegal situations brought about by those practices and not to aid or assist in maintaining these unlawful conditions.

- States should not evade their legal obligations by hiding behind the independent personalities of international organisations they belong to.
- These responsibilities, incumbent on Israel and third states, are unconditional and unaltered by political negotiations occurring at a given time.

The authors of the HSRC study argued that the parameters of the duties of Israel and other states ‘might best be delineated by seeking advice from the International Court of Justice’ (ICJ) and therefore suggested that concerned states call on the UN General Assembly to request an advisory opinion from the ICJ on the following question:

Do the policies and practices of Israel within the Occupied Palestinian Territories violate the norms prohibiting apartheid and colonialism; and, if so, what are the legal consequences arising from Israel’s policies and practices, considering the rules and principles of international law, including the International Convention on the Elimination of all forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Declaration on the Granting of Independence to Colonial Countries and Peoples, UN General Assembly Resolution 1514 (1960), the Fourth Geneva Convention of 1949, and other relevant Security Council and General Assembly resolutions?⁹

As the HSRC report made clear, Israel’s conduct must be judged through the prism of international law – and the ICJ is the apex court in matters of international law. The remainder of this chapter outlines some of the procedural aspects involved in seeking an advisory opinion from the ICJ in the light of a recent precedent.

The ICJ’s authority to give advisory opinions

To begin with, the relevant provisions of the instruments that give content to the ICJ’s jurisdiction and powers are briefly outlined.

Article 96(1) of the UN Charter empowers both the UN General Assembly and its Security Council to ask the ICJ ‘to give an advisory opinion on any legal question’.¹⁰ Importantly, the Charter also provides that ‘other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities’.¹¹

These principles are confirmed in article 36(1) of the ICJ's Statute,¹² which provides that the Court has jurisdiction in respect of all matters provided for in the UN Charter. Part IV of the ICJ's Statute provides more detail on the power of the Court to issue advisory opinions. The statute essentially mirrors the UN Charter in respect of the ICJ's power to issue advisory opinions.¹³ Significantly, the statute provides that a request for an opinion must be made in writing and be 'accompanied by all documents likely to throw light upon the question' to be dealt with by the opinion. The statute provides that the ICJ, in exercising its advisory jurisdiction, may be guided by the provisions of the statute that deal with the court's powers in contentious cases.¹⁴ It is noteworthy that the statute also provides for the hearing of oral evidence.¹⁵ It provides that the ICJ 'may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.'¹⁶ While it is not necessary to consider the ICJ's rules in detail here, it suffices to point out that Part IV of the rules make detailed provision for the ICJ to exercise its advisory jurisdiction.

It is thus hoped that the findings of the HSRC study will be regarded by states as the basis for them to agitate within the General Assembly for an advisory opinion. In this respect, there is a significant additional factor that may be relied on by states that are party to the Convention on apartheid mentioned earlier. Article IV of this Convention provides for states that are party to it 'to adopt any legislative *or other measures* necessary to suppress, as well as to prevent any encouragement of the crime of apartheid and similar segregationist policies or their manifestations'.¹⁷ Furthermore, Article VIII of the same Convention provides that 'any State Party to the present Convention may call upon any competent organ of the United Nations to take such action under the Charter of the United Nations as it considers appropriate for the prevention and suppression of the crime of apartheid.'

These two provisions, either singly or in combination, entitle states that are party to the apartheid Convention, to call upon the General Assembly, as a competent organ of the UN, to issue an advisory opinion in respect of the findings of the HSRC study, in pursuance of their obligation to suppress and prevent the crime of apartheid.

The ICJ's approach to advisory opinions

The ICJ has often exercised its authority to give advisory opinions¹⁸ and has established a robust approach to these, in terms of which it readily accepts invitations to deal with questions presented to it, even in the face of strong objections from states against the interests of which such opinions would operate. This is not to say that the ICJ has a record of adopting a partisan agenda. While aspects of its judgements may properly be criticised, and it has not always shown an exemplary approach to legal analysis, it can be said that its judgements attempt to analyse the relevant legal provisions and case law dispassionately and to find the correct legal position. The point is that the ICJ has shown itself willing to grapple with difficult political questions, which makes the prospect of seeking an advisory opinion in order to address the issues raised in the HSRC study most promising.

The authors of the HSRC study also had a recent and relevant precedent to rely on when they made their recommendation, namely, the decision by the General Assembly at its Tenth Emergency Special Session on 8 December 2003 to submit the question of the legality of Israel's wall in the OPT for an advisory opinion. While Israel did not participate in the oral hearings, it chose to make written submissions. And, since the General Assembly had granted Palestine special observer status and it had co-sponsored the draft resolution requesting the advisory opinion, Palestine was allowed to submit a written statement and to make oral submissions. The ICJ heard lengthy arguments from a number of states and two international organisations during the course of the hearings, which were held from 23 to 25 February 2004. The ICJ then delivered its advisory opinion on 9 July 2004.¹⁹ I am not concerned here with the substantive reasoning of the ICJ on the legality of the wall. However, the Palestine Wall Opinion raises several themes that are relevant to the procedural aspects of seeking an advisory opinion and the bases upon which this may be done.

The jurisdiction of the ICJ

As noted by the ICJ, the very first question it had to deal with in the matter of the Palestine Wall was whether it had the jurisdiction to entertain the request for an advisory opinion at all. Essentially, the ICJ rejected a number of suggestions by Israel that it was deprived of jurisdiction or, if it had jurisdiction, that it should exercise its discretion to decline the exercise thereof. For our purposes, it is important that the ICJ confirmed the test applicable to this question as follows:²⁰

- The opinion must be requested by an organ duly authorised to seek it under the Charter.
- The opinion must engage a legal question.
- The question must arise from the scope of activities of the requesting organ (unless it arises from the General Assembly or Security Council to which this limitation does not apply).

The ICJ noted that, even though the power of the General Assembly to request advisory opinions is not limited to the scope of its activities, the ICJ had previously considered whether the subject matter of the requested opinion was linked to the activities of the General Assembly.²¹ This, I would argue, is merely an expression of the trite principle, more commonly applied in domestic law, that a judgement or opinion of a court ought to have some practical use. In any event, the ICJ confirmed the somewhat obvious observation that the legal consequences of Israel's occupation of the OPT was of concern to the General Assembly. That conclusion would naturally apply with equal force to the subject matter of the opinion proposed by the HSRC study.

The definition of a 'legal question'

One of the jurisdictional complaints raised by Israel related to the question posed by the UN General Assembly on the issue of the wall. Even though the ICJ rejected Israel's objection in this regard, it is advisable that great care be taken in the formulation of the question. This is important because a similar attack could be directed in respect of the findings in the HSRC study. At the very least, the complaint levelled by Israel and the ICJ's response provide guidance on the way in which future questions should be phrased. Of course, this is really a consideration for the General Assembly itself, since it is the entity that must seek the ICJ's opinion, but the state or states that call for the advisory opinion would assist the General Assembly by formulating the question carefully.

Israel's complaint may be summarised as amounting to an allegation that the question was impermissibly vague and an argument that the question required the ICJ to advise on a hypothetical issue.²² Thus, Israel complained that the question posed by the General Assembly failed to specify the entity in respect of which the legal consequences were to be assessed. The ICJ rejected this argument. It held that the question was framed in terms of, and raised problems concerning, international law. Not only was

it susceptible to a reply based on law, but it could scarcely be answered in any other way. It was therefore a question with a legal character.²³ In any event, the ICJ pointed out that the lack of clarity in a question does not, in and of itself, deprive a court of jurisdiction. Rather, ambiguity in a question will require it to be interpreted by the court. The ICJ referred to other cases in which this exercise had been conducted.²⁴ While the ICJ was willing to find that lack of precision in the framing of the question does not necessarily deprive the court of advisory jurisdiction per se, there is obvious value in drafting the question as clearly as possible.

Political questions

For our purposes, one of the most important jurisdictional issues raised in the Palestine Wall Opinion relates to the political nature of the question. Israel argued that the ICJ should decline jurisdiction on the basis that the question raised political issues that ought not to be decided by a court. This is clearly of fundamental importance to any future attempt to seek an advisory opinion, given the political nature of any assessment of Israel's conduct.

In rejecting the notion that the political nature of the question militated against it accepting jurisdiction, the ICJ in its Palestine Wall Opinion referred to previous authority in which the proposition that the political nature of the issue precluded jurisdiction had been rejected. The true test is whether the question calls on the ICJ to discharge a judicial function by assessing the legality of the conduct of states. If it does, then its political nature cannot determine the extent of the ICJ's jurisdiction. Indeed, the ICJ pointed out that the contentious, political nature of an issue might suggest that an advisory opinion, dealing only with the legal aspects, would be particularly useful.²⁵ The ICJ therefore concluded that it had jurisdiction to give the advisory opinion that had been requested.

The exercise of discretion

The ICJ then had to consider whether to exercise the discretion conferred on it by Article 65 of the Statute on whether or not to give the advisory opinion. The issue arises from the wording of Article 65 which permits, but does not oblige, the ICJ to give advisory opinions when requested to do so.

The ICJ began by explaining that, although Article 65 envisages that the ICJ has the discretion on whether to give an advisory opinion, in prin-

ciple a request for an opinion should not be refused. The applicable standard is that a request for an advisory opinion should only be refused in the presence of 'compelling reasons'.²⁶ The ICJ held that, despite the fact that it had never declined to give an advisory opinion in the exercise of its discretion (and its predecessor had done so only once, in very particular circumstances²⁷), it had a duty to consider each of the arguments to the effect that compelling reasons existed not to give the opinion.

The first argument was that the issue of the legality of the wall was part of the broader dispute between Israel and Palestine. Since Israel had repeatedly refused to have that dispute settled by the ICJ or any compulsory adjudicative process and the parties had in fact agreed to settle the dispute by negotiations, the ICJ should decline to hear the matter. In response, the ICJ pointed out that there is a legitimate concern about inappropriately accepting jurisdiction in cases where one of the parties to a contentious dispute had objected to jurisdiction. However, the fact that one of the interested parties objects to the ICJ's jurisdiction should not, in itself, militate against the Court hearing the matter because the ICJ renders its opinions for the organ that requested them and not for states.²⁸ In this case, the General Assembly had a vital interest in resolving the Israeli and Palestinian conflict, and in this context it would not be appropriate for the ICJ to decline to give an opinion.²⁹ This reasoning is not based on a merely technical distinction – in fact, it reveals the important difference between the role of the ICJ in resolving contentious disputes between states (and the relief that it can grant in playing this role) and its role when it renders advisory opinions. The primary purpose of the former is to facilitate the vindication by the aggrieved state of its rights under international law, while the primary purpose of the latter is to resolve complicated legal questions in order to assist the organ that requested the ruling.

The second argument against the ICJ giving the opinion was that, in doing so, it could impede a negotiated settlement to the matter and, in particular, frustrate the process in terms of which each of the parties was obliged to comply with certain obligations by certain times. In rejecting this argument, the ICJ noted that it had confronted such arguments in previous cases. It pointed out that, in this case, participants had expressed varying opinions on the effect that the ICJ's opinion might have on the negotiations. In such circumstances, the ICJ could not decline jurisdiction.³⁰ A proper reading of this aspect of the ICJ's opinion suggests that had cogent evidence been presented by Israel (or another state) to demon-

strate that the negotiations would indeed have been frustrated by the ICJ's opinion, the outcome might have been different. Since such evidence is unlikely to exist (to the extent that the proposition is even susceptible to objective evidentiary proof), the approach of the ICJ is not a source of concern to those who might seek advisory opinions regarding Israel's conduct in the future. However, it is important to be mindful of the fact that the Court's rejection of this argument was based more on the facts that had been adduced to support the argument than on any principled basis.

The ICJ also rejected the third argument to the effect that the question of the wall was part of a much greater dispute and that it could not be properly assessed in isolated proceedings. The ICJ pointed out that it was required to consider only the legal issues relating to the wall and need consider other issues only to the extent that they were relevant to the question posed by the General Assembly.³¹ There was, therefore, no reason why the ICJ could not engage the legal issues before it.

The fourth argument relating to the ICJ's discretion is particularly important: it was argued that the ICJ would not have sufficient facts at its disposal to resolve the legal question presented and should not do so in the absence of a proper understanding of the security risk facing Israel that led to the construction of the wall. It was argued that, since much of that information was known solely by Israel, the ICJ would be ill-equipped to deal with the question presented by the General Assembly. In response, the ICJ held that the question of whether there is sufficient information and evidence for it to render an opinion had to be decided on the facts of each case.³² In this case, the ICJ noted that it had at its disposal the report and comprehensive dossier submitted to it by the UN secretary-general. This report dealt with several relevant matters – including the socio-economic and humanitarian consequences of the wall – and included reports by several special rapporteurs and various organs of the UN. Other participants had also provided detailed information and Israel's own submission, though limited to issues of jurisdiction, canvassed certain relevant aspects of the matter before the ICJ.³³ The ICJ reached the opinion that it had before it sufficient facts to give its opinion and the fact that some might interpret its opinion from a subjective or political perspective was irrelevant to the question of how it should exercise its discretion on the matter.³⁴

The fifth argument, which is also directly relevant here, related to the fact that the UN General Assembly had not shown what purpose the opinion would serve. This was raised in the context of the fact that the

General Assembly had already declared the construction of the wall to be illegal and could not therefore claim to need the opinion to guide its future conduct. The ICJ rejected this argument on the basis that it was not for the ICJ to determine whether the advisory opinion would be useful to the General Assembly or to interrogate the purpose to which it would be put – these were questions for the General Assembly to decide.³⁵

The ICJ summarily dismissed the sixth and final argument put to it in support of the notion that it should decline jurisdiction – that the Palestinians had, through their conduct, caused the wall to be constructed and could not now approach the ICJ with ‘dirty hands’ seeking judicial relief. The ICJ rejected this argument on the basis that it was neither parties nor states that sought advisory opinions, but rather organs of the United Nations such as the General Assembly.³⁶ It was inappropriate, therefore, to view these proceedings as if they were contentious proceedings instituted by Palestine as an interested party.³⁷

Conclusions

The ICJ’s robust approach to its entitlement to render advisory opinions makes the possibility of seeking such an opinion in the context of Israel’s conduct highlighted in the HSRC study reasonably realistic. I have highlighted various objections raised to the jurisdiction of the ICJ to give its opinion on the Palestine Wall because they prefigure Israel’s attitude to the ICJ’s advisory opinions – that they are there to be ignored. However, Israel’s objections serve to highlight the importance of the ICJ making the effort to give its views on the applicable legal rules.

Some may dismiss the ICJ’s opinion as just that – an opinion, cast into a world in which there are already many heavily contested views of the Israel/Palestine conflict. But the ICJ is more than just another voice competing to be heard – it is the voice of an impartial judicial body of diverse and respected jurists who constitute the principal judicial organ of the UN. As the respected Australian judge, Justice Kirby, reminds us: ‘One settled human rights principle is addressed to the judiciary itself.’³⁸ That principle is encapsulated in Article 14 of the International Covenant on Civil and Political Rights,³⁹ which requires not only that judges should be competent and independent, but also that they should be impartial in the discharge of their duties. Aside from impartiality, judges have a duty, as Lord Steyn – now retired from the House of Lords in the United Kingdom – put it, ‘of reaching, through reasoned debate, the best attainable judge-

ments in accordance with justice and law'.⁴⁰ This may seem an obvious point, but it should not be overlooked in appreciating the importance of an advisory opinion.

The Palestine/Israel conflict is political, historical and religious – and every inch of the conflict, like the land that underpins it, is vigorously contested, often violently. But the contest and the conflict do not take place in a legal black hole. On the contrary, a panoply of legal rules are implicated. Importantly – as the slow demise of South Africa's apartheid state taught us – no state that wishes to be accepted as a respected member of the international community can forever ignore authoritative rules that are binding upon it. There is, therefore, much to be said for allowing an impartial body of independent judges to grapple with the serious legal questions that are inevitably raised by the competing claims of Israel and Palestine. The parties to the conflict, the world community of states, and the United Nations itself, would benefit from judges engaging critically and openly with those claims, scrutinised against the standards of the law.

The HSRC study has demonstrated that there is a case to meet that Israel's regime in the OPT has acquired some of the characteristics of colonialism and apartheid. The findings of the study raise a number of questions that call for answers. For example, in light of Israel's colonial and apartheid practices, is it still a lawful regime? And what are the legal consequences for the occupied people, the occupying power, third states and international organisations such as the UN?

The HSRC study contains a comprehensive assessment of the many legal questions raised by Israel's occupation in this context. It is unnecessary to repeat them here. It is enough to emphasise that obligations *erga omnes* generated by a breach of a peremptory norm of international law are imposed on the international community as a whole and are thus imposed equally on intergovernmental organisations as well as states. As the ICJ said in its Palestine Wall Opinion, the UN bears a special responsibility for the resolution of the Israel-Palestine conflict. The UN General Assembly, in particular, has an interest in obtaining clarity on the important legal issues raised by Israel's occupation.

Returning to the matter raised by Dugard as to whether questions about Israel's colonial and apartheid practices should not be settled by judicial resolution,⁴¹ the authors of the HSRC report suggest that the parameters of the duties of Israel and third states might best be delineated by seeking advice from the ICJ. In this chapter, I have attempted to dem-

onstrate that there is a strong legal basis for the power of the General Assembly and other relevant organs of the UN to seek an advisory opinion from the ICJ.

It is true that the Palestinian Wall Opinion has not had the desired effect of compelling the United Nations to take firmer action against the construction of the wall. There has, for instance, been much criticism of the Quartet, of which the UN is a member, for its failure even to acknowledge the opinion.⁴² In particular, on 24 October 2007, at the 62nd session of the General Assembly Third Committee, the Special Rapporteur on the situation of human rights in the OPT called on the UN secretary-general and his senior staff 'to consider the United Nations role in the Quartet with special regard to the human rights situation'.⁴³

On the other hand, advisory opinions serve an important clarificatory function. If there is a failure by certain parts of the UN to deal meaningfully with the Israel/Palestine situation, then it remains important to direct energy towards that part of the body that will. In this respect, it should be stressed that the ICJ – as the UN's main judicial organ – is vested with certain responsibilities regarding international law and this is respected by member states. Because its fidelity is to the law, the ICJ has the ability to introduce an objective account of the applicable legal rules into an otherwise politically controversial situation, as attested to by its careful and considered account of the legal rules applicable to Israel's building of the wall.

There is hope, therefore, that, in response to an appropriate request by the General Assembly, the ICJ may decide to consider the questions raised in the HSRC study. And there is hope that a second advisory opinion arising from the fraught situation of Israel's occupation of the OPT will further elucidate the legal rules that should guide the UN and the international community in their responses to the situation. John Dugard is fond of reminding us that the United Nations requested four advisory opinions from the ICJ to guide it in its approach to South Africa's occupation of South-West Africa/Namibia. While the opinions were repudiated by South Africa, they became the basic law of the UN on Namibia and, in 1990, full effect was given to them when South Africa withdrew its administration and Namibia became independent.⁴⁴ In these circumstances – and with that hope – a request for another advisory opinion warrants serious consideration.

Notes

1. HSRC (2009). The study is also available online via <http://www.hsrc.ac.za/Document-3227.phtml>. The executive summary was presented for public discussion on 16 May 2009 at the School of Oriental and African Studies (London) at a public seminar co-hosted by the HSRC and the Sir Joseph Hotung Project in Law, Human Rights and Peace Building in the Middle East, based at the Law School of the School of Oriental and African Studies, University of London. The study was further debated at an HSRC symposium, 'Re-envisioning Israel/Palestine', from 12 to 14 June 2009 in Cape Town. The HSRC's Middle East Project was an independent two-year project, conducted from June 2007 through June 2009, to analyse the relevance of Middle East politics for South African foreign policy. Its funding was provided by the South African Department of Foreign Affairs. The analysis in the report was entirely independent of the South African government and does not represent an official position of the HSRC. It was intended as a scholarly resource for the Department of Foreign Affairs and the international community.
2. The team included: editor – Virginia Tilley, Cape Town; principal contributors – Max du Plessis, Durban; Fatmeh El-Ajou, Haifa; Victor Kattan, London; John Reynolds, Ramallah; Rina Rosenberg, Haifa; Iain Scobbie, London; and a large team of contributing researchers; consultants and reviewers – John Dugard, Johannesburg and the Hague; Hassan Jabareen, Haifa; Daphna Golan, Jerusalem; Stephanie Koury, London; Jody Kollapen, Pretoria; Gilbert Marcus, Johannesburg; Michael Sfard, Tel Aviv; and Pieter A Stemmet, Pretoria.
3. Dugard (2007).
4. In other words, Israel's practices inside the Green Line (the 1949 Armistice Line) were not examined, except where these illuminated Israeli policies in the OPT. The history of the conflict before Israel's occupation began in June 1967 as a result of the Six-Day War was also not addressed, except where this was necessary to clarify the application of international law to the OPT. Questions of individual criminal responsibility or culpability for the commission of acts that constitute apartheid were also beyond the scope of the study, which focused instead on the question of the responsibility of states in relation to acts that are internationally recognised as wrongful.
5. The Declaration was proclaimed by the United Nations General Assembly on 14 December 1960 and is available at: <http://www.un.org/Depts/dpi/decolonization/declaration.htm>.

6. The Convention on Racial Discrimination was adopted by the United Nations General Assembly on 4 January 1969. It is available at: <http://www2.ohchr.org/english/law/cerd.htm>.
7. The Convention on Apartheid was adopted and opened for signature and ratification by General Assembly Resolution 3068 (XXVIII) of 30 November 1973. It entered into force 18 July 1976, in accordance with article XV (see <http://untreaty.un.org/cod/avl/ha/cspca/cspca.html> and http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-7&chapter=4&lang=en).
8. See <http://www.un.org/law/icc/index.html>.
9. HSRC (2009: 23).
10. The UN Charter is available at: <http://www.un.org/en/documents/charter/index.shtml>.
11. See article 92(2) of the Charter.
12. See <http://www.icj-cij.org/documents/index.php?p1=4&p2=2&p3=0>.
13. See article 65(1).
14. Article 68 of the Statute.
15. See articles 43(5), 48, and 51 of the ICJ Statute.
16. Article 50 of the ICJ Statute.
17. Emphasis added.
18. For a list of the advisory opinions of the ICJ and the full text of the opinions, see <http://www.icj-cij.org/docket/index.php?p1=3&p2=4>.
19. ICJ (2004: 136). The advisory, and all the written and oral statements relating to it, are available at <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&code=mwp&case=131&k=5a>. For the sake of convenience, I shall refer to the advisory as the Palestine Wall Opinion.
20. ICJ (2004: para 14).
21. ICJ (2004: para 15).
22. ICJ (2004: para 36).
23. ICJ (2004: para 37).
24. ICJ (2004: paras 38–40).
25. ICJ (2004: para 41).
26. ICJ (2004: para 44).
27. The predecessor was the Permanent Court of International Justice and the circumstances referred to were that the matter concerned a dispute

- that had already existed and that it involved states that had objected to the proceedings and were not members of the League of Nations. See ICJ (2004: para 44).
28. ICJ (2004: para 49).
 29. ICJ (2004: para 50). See similar reasoning in the Namibia Advisory Opinion at paras 31–34.
 30. ICJ (2004: para 52).
 31. ICJ (2004: para 54).
 32. ICJ (2004: para 56).
 33. ICJ (2004: para 57).
 34. ICJ (2004: para 58).
 35. ICJ (2004: para 61).
 36. ICJ (2004: para 64).
 37. It is, of course, necessary to proceed from the fiction of Palestine already being a recognised state because only states may participate in contentious proceedings before the ICJ.
 38. Kirby (2004: 72).
 39. The Covenant was adopted and opened for signature, ratification and accession by UN General Assembly resolution 2200A (XXI) of 16 December 1966 and came into force on 23 March 1976. The full text is available at <http://www2.ohchr.org/english/law/ccpr.htm>.
 40. Steyn (2004: 130).
 41. Dugard (2007).
 42. The Quartet on the Middle East consists of the United Nations, the United States, the European Union and Russia. The group was set up in 2002 to help mediate a settlement in the Israeli-Palestinian conflict.
 43. See General Assembly GA/SHC/3893, 62nd General Assembly, 3rd Committee, 24 October 2007. ‘New Human Rights Council could help put rights abusers on notice, Third Committee told: Quartet has paid little attention to human rights of Palestinians’, <http://unispal.un.org/unispal.nsf/0/2b668ee347601aec8525737f0049ba60>.
 44. See Dugard (2005: 475–476).

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Chapter Six

Reconciling history and equal citizenship in Israel: Democracy and the politics of historical denial¹

Nadim N Rouhana

In this chapter I explore the relationship between citizenship and reconciliation in divided societies. Specifically, I ask whether multicultural citizenship is possible in such societies without a process in which citizens deliberate about the historical circumstances that divide the national groups that comprise the state, reach a moral agreement about historical narratives, and address past injustices. I argue that achieving democratic citizenship is not possible in these states without reconciliation and suggest that equality, the cornerstone of modern democratic citizenship, cannot be meaningfully realised without the tangible and intangible rectification of past injustices. In divided societies with historical injustices, equality will have to be redefined to incorporate the recognition and rectification of *historical injustices*. Moreover, I suggest that if a national group within a state cannot achieve equal democratic citizenship in this sense, the democratic credentials of the state are called into question.

I take Israel as a case study because Israel represents a prominent example of a multicultural polity in which two national groups hold extremely divergent views on historical narratives and cultural identities. These vast differences might make Israel an extreme case but, paradoxically, this can contribute to sharpening the theoretical issues which apply in more nuanced cases.

Jews and Arabs in Israel share citizenship in what the academic literature (and western international discourse)² considers, almost by consensus, a democratic state (even if agreement breaks down over what form of democracy Israel is).³ Yet this consensus coexists comfortably with another – which again exist both in the realm of scholarship and political discourse, at least within Israel itself – that there is no equality in Israel between Arab and Jew. The question of whether democracy is possible without democratic citizenship is therefore an important conceptual question, and not merely a rhetorical or political one. In this chapter, I argue that ‘the politics of historical

denial' are central to this dilemma, in ways that have not yet been adequately recognised by theorists of democratic citizenship. If we are to overcome this dilemma, issues of reconciliation and the recognition of historical injustice must be integrated into our theorising on multicultural citizenship.

In order to understand the nature of the politics of historical denial and its implications for democratic citizenship, it is helpful to situate it within the larger framework of debates over multiculturalism. According to Kymlicka, different forms of multiculturalism reflect different strategies that minorities can adopt in response to the process of nation-building by contemporary nation-states.⁴ As the process of nation-building usually entails the promotion and privileging of the majority's history, culture and language, it tends to disadvantage minorities, leading to their marginalisation from major societal institutions: economic, political and educational. To counter this, Kymlicka describes four options that members of minority cultures have (presented here with much simplification):

1. Mass emigration into a neighbouring prosperous friendly state dominated by their co-ethnics (ethnic Germans migrating from Kazakhstan to Germany for example).⁵ By emigrating, members of the minority group seek to change their disadvantageous position by joining a state with a similar culture.
2. Integration, in which the minority seeks to become an integral part of the majority culture with different degrees of differentiation that can be negotiated with the majority. This option tends to be favoured by immigrants to western democracies, but not by homeland minorities – that is, groups who stayed in their homeland but were transformed from majorities into minorities by virtue of historical changes such as wars and colonialism.
3. Isolation, in order to preserve a culture when the group, usually for religious or theological considerations, seeks to be isolated from contact with modern institutions. The Amish and some Hasidic Jewish groups in the United States provide examples of this option.
4. Seeking self-government and collective rights in order to nourish their culture and national identity. This last option is favoured by national minorities, in particular in sub-state nations, defined as 'nations which do not currently have a state in which they are a majority, but which may have had such a state in the past or which may have sought such a state'.⁶

Apart from emigration, each of these strategies requires certain forms of minority rights to be successful, giving rise to the familiar forms of group-differentiated multiculturalism that we see, mainly, in the West.

It is this fourth case that I will focus on in analysing the relationship between democratic citizenship and reconciliation – the case of national minorities.⁷ National minorities in multiethnic states typically seek some form of collective rights and self-government, as in the case of the Quebecois in Canada, the Basques in Spain, the Flemish in Belgium, the Kurds in Iraq and the Scots in Britain. This option can potentially provide some sort of ethnocultural justice for national minorities. Kymlicka, for example, argues that minorities should be allowed ‘to engage in their own nation building, to enable them to maintain themselves as distinct societal cultures’.⁸

But some national groups face a different and extra challenge, one that emanates from the historical circumstances in which the national minority has been formed. In the western context, national minorities were often once contenders for state formation who lost to other national groups. But in the case of Israel and its Palestinian citizens, the state began as a settler-colonialist project⁹ in which settlers from outside – first from Europe – claimed the homeland as exclusively their own and, in a long and violent settlement project, managed to take over the land from the indigenous inhabitants. While the majority of the indigenous group were forced to leave, or left under the duress of war or fear of massacre, a segment managed to remain as a minority – a homeland minority in the state that emerged. Almost by definition, the settler-colonialist project requires actively and forcibly repressing the homeland minority’s identity, history, narrative and culture, since it challenges the very legitimacy and essence of the colonisers’ national mission.¹⁰

In such circumstances, the option faced by such a homeland minority entails more than merely asserting collective rights and striving to establish self-government. It is likely that the Palestinian national group in Israel will indeed seek some sort of nation-building in which self-government can be a major constitutional political claim.¹¹ However, in such cases, the national culture that provides the bedrock upon which the homeland group will attempt nation-building must first revive and revitalise the group’s denied history. And this broadly and directly conflicts with the culture of the majority group, whose very claim to moral legitimacy is founded upon denying the validity and legitimacy of the homeland group’s historical claim on, and attachment to, the homeland.

In this case, what I am calling ‘the politics of historical denial’ define the relationship between the majority and the minority, and has come to determine how the history of their relationship is narrated by the majority.¹² As in all cases of minority nation-building by national minorities, the process requires addressing issues of the politics of redistribution, the politics of recognition,¹³ and the negotiation of minority rights. But in addition, it has to deal with the politics of historical denial.

Addressing the politics of historical denial raises difficult issues, in part because they go to the very core of each group’s identity. Debates about minority rights and ethnocultural justice always touch, to different degrees, on the identity of the minority and majority groups, and often require majority cultures to face past injustices. The dialectics of the minority’s assertion of its history and the majority’s blanket denial of that history can take a central role in the nation-building of each group, and therefore in their identity and their relationship with each other. In many cases, the majority will seek to delay or resist facing the minority’s denied history given the implications for the majority’s group identity and the redistribution of resources that this recognition of the past must surely entail.

But in the particular cases I am discussing, the challenges are even deeper. In most cases, facing past atrocities – while consequential for the majority’s identity and the state’s political structuring – does not challenge the very legitimacy of the state since this is not inextricably intertwined with the continued denial of history. For example, the history of slavery in the United States has been acknowledged – if not fully faced, at least from the vantage point of the slaves’ descendants – without threatening the majority’s national legitimacy. This was possible because the majority’s founding narrative was not based on denying or justifying slavery. Abolishing slavery entails facing historical injustice, but does not challenge the state’s legitimacy. In fact, in the American case slavery stood in direct contradiction to the national ethos of freedom and non-ethnic inclusiveness and was therefore a clear aberration that could not stand the test of time. Historic injustice in South Africa, by contrast, could not have been faced without delegitimising and dismantling the apartheid state, because its very legitimacy was based on, and intertwined with, denying the rights of certain groups and justifying the injustice.¹⁴

In cases in which the legitimacy of the majority’s nation-building enterprise depends on the continued denial of the minority’s culture and history, it becomes imperative for the majority to hinder the minority’s

nation-building process. This imperative exists – more so than in other cases – because the minority’s nation-building process will inevitably drive it to bring the denied historical narrative to the centre of its national enterprise. The majority’s strong opposition in such cases emanates from a perception that such a project poses an ‘existential threat’ to the majority’s national enterprise.¹⁵ Therefore, the majority will not agree to a political arrangement that allows the minority freely to express its culture and identity, although it might be willing to negotiate with the minority group on some limited issues related to the politics of redistribution and even issues related to the politics of recognition. Accordingly, genuine multicultural citizenship and a multicultural model of the state become unachievable, because a precondition for any form of democratic citizenship is lacking – namely, sharing common legitimacy between the majority and the minority.

In such cases, the politics of historical denial will have to be addressed in order to establish common legitimacy. As I argue below, reconciliation is a process that can redress the politics of historical denial. I first describe what I mean by a reconciliation process that can establish common, shared, mutually enjoyed legitimacy. This in turn can become the foundation for two legitimate processes of nation-building – one for the majority and one for the minority – and for a broader process of establishing multicultural citizenship encompassing the two national groups. I then return to the question of democracy and historical denial in the case of Israel and the Palestinian Arab minority.

Reconciliation, addressing historic denial and citizenship

Reconciliation, as conceived in the context of divided societies, is a process that seeks to achieve a relationship between the majority and the minority that is founded on mutual legitimacy in the same state.¹⁶ The goal is to achieve an open, public and socially based mutual granting of legitimacy for the type of relationship that is ‘negotiated’ between the two groups. This mutual legitimacy becomes the defining feature of the relationship, the cornerstone for establishing a ‘moral community’ and for redefining moral boundaries in such a way that both groups will be included. As such, although reconciliation does not prevent strains in the relationship or future disputes between the majority and the minority, it does guard against a reversal of the relationship to a stage in which the very legitimacy of each side is thrown into question, the minority group might seek alternative

arrangements such as secession, and the majority group might resort to forceful control and domination. In this sense, reconciliation transforms the nature of the relationship between the majority and minority through a course of action that is intertwined with psychological, social, political, and constitutional changes. Once mutual legitimacy is established, then the majority and minority can embark on issues of economic redistribution, questions of recognition and constitutional arrangements for self-government.¹⁷

For genuine reconciliation to take root, four key issues must be addressed: ethnocultural justice, historic truth, historical responsibility, and restructuring the social and political relationship between the two cultures and the consequent restructuring of the state's constitutional structure to reflect such changes.

Let me briefly explore each of these dimensions.

Firstly, the term of reference for reconciliation is justice. This, of course, is not an alien concept to political theory. Indeed, the question of democracy centres on the concept of justice. But in the dominant paradigms of international relations the question of justice is marginalised if not dismissed and power relations constitute the organising concept. Justice, strikingly, has not been a central concept in the literature on conflict resolution – a field that seeks to analyse relationships between national groups in conflict within the same state or among states and that seeks to find ways to resolve their conflicts.¹⁸ If justice is not taken as central to the future relations between national groups in conflict, reconciliation based on mutual legitimacy will not be achieved, but some sort of political settlement will be reached that is far less likely to endure.¹⁹ The centrality given to justice in the relationship between two national groups in the framework of reconciliation is consistent with Kymlicka's argument that the theoretical questions for multicultural citizenship should focus on ways of achieving ethnocultural justice.²⁰

Secondly, reconciliation places special importance on historic truth, particularly truth about wrongdoing. This is particularly important for groups whose histories have been the subject of active denial by dominant parties. For reconciliation to take place, truth is central and has to be commonly acknowledged by the two parties.²¹ Indeed, the word *truth* appears in the official names of most commissions that have dealt with reconciliation, and the notion is central to the processes and procedures adopted by these commissions.²² Furthermore, to become an integral part of both

groups' common history, truth should not only be established but publicly disseminated and widely taught, so it can be collectively internalised and passed down to future generations.

Some theorists sidestep issues of historical truth as being too controversial and suggest it should therefore be avoided.²³ In this context, the assertion that different groups have different 'truths' is inadequate. Truth is too important for the victims of historical injustice to disregard. There are many reasonable ways of arriving at the truth. Even within an ethical and theoretical framework of historicism that declines to judge historical knowledge as measured against fixed truths or fixed values that exist independently of a historical and cultural context, there are sufficient grounds for establishing the difference between truth and fiction, or between right and might.²⁴ Within a 'moderate historicist' framework, it is possible to talk about historic truths (and consequently about historic responsibility and historic injustice). Crocker, for example, differentiates between three levels of truth: 'forensic truth', which refers to hard facts about human rights violations; 'emotional truth', which refers to the impact of violations on victims, both emotional and physical; and 'general truth', which refers to plausible interpretations.²⁵ There are many ways of achieving these truths, even when groups have diverging views about it and many truth and reconciliation commissions have taken upon themselves the task of arriving at the various levels of truth mentioned above.²⁶

Devising ways of examining historical truth and arriving at a commonly acknowledged history is one way to counter the politics of historical denial. As mentioned earlier, it is not easy for a nation whose national existence is founded on the ruins of another group in a process of colonisation and displacement to face the historic truth or to be willing to seek commonly acknowledged history. Yet, within a framework of reconciliation in which its long-term national existence is guaranteed through mutual legitimacy, commonly acknowledged truth will contribute to the moral foundation of a common citizenship within the same political system, the legitimacy of which will become the strongest guarantee for its continued national existence.

Thirdly, reconciliation requires acknowledging historic responsibility. If reconciliation is to occur, it is essential to have the national groups agree on the historical responsibility for human rights abuses. Any party involved in mass physical and cultural violence such as colonisation, occupation, genocide, ethnic cleansing and state-sanctioned oppression will

be expected to face its historical responsibility for its role in human rights violations. In many cases, such as the conflicts in El Salvador and Guatemala, the task of a truth commission is to prevent wilful forgetting.²⁷ For example, the Historical Clarification Commission in Guatemala focused on institutional responsibility, including that of the state, the army and the United States;²⁸ the South African Truth and Reconciliation Commission placed responsibility on the apartheid system.²⁹ Although these cases all dealt differently with the issue of assessing the *individual* responsibility of perpetrators, and made different decisions about the merits of prosecutions versus amnesties, the facing and taking of *historical* political responsibility has been at the centre of the process in all cases.

Truth and historic responsibility are of utmost importance, not only because they validate the experience of the victims, although this validation is essential for the victims' transcendence of a history of domination and abuse, but also for reassuring the victims that past wrongdoing is fully understood and will therefore not reoccur, and to make it possible to determine future steps needed to rectify the past and plan for a shared future. Furthermore, once truth has been arrived at and historic responsibility acknowledged, the victims are reassured that a new relationship based on a *common* moral understanding is possible. This common moral understanding, centred on truth, responsibility and justice, minimally defined as the absence of 'oppression and humiliation',³⁰ can define the new moral boundaries of 'us' – an 'us' that includes and embraces *both* national groups and serves as the foundation for an over-arching democratic citizenship inclusive of the two groups.

Fourthly, reconciliation entails political and structural change guided by the new common moral understanding. Restructuring takes the past wrongs and their inequitable consequences into consideration when establishing new political and social institutions. Thus the new relationship between the groups, while guided by ethnocultural justice, will take into account the history of injustice and the rectification of its accumulated tangible and intangible outcomes. The shape of the new political relationship between the national groups will depend on factors such as the demographic composition, the geographical dispersion of the groups, the nature of the ethnonational divide (language, religion, ethnic origin, etc.); but in all cases, fulfilling the reconciliation requirements described above guarantees that the institutionalising and restructuring of the future relationship between the two national groups will be based on equality, human dignity and ethnocultural justice.

All four components of reconciliation – ethnocultural justice, historic truth, facing historic responsibility and social and political restructuring – lead national groups in divided societies into a new relationship characterised by genuine mutual recognition, trust and mutual granting of legitimacy. All of these are vital for the development of a common and inclusive identity and, accordingly, for the establishment of democratic citizenship in a multinational state. In some cases, where groups have deep security concerns related to their national existence, reconciliation in this sense leads to existential security based on the conviction that one's own and the other's collective existence are not being challenged. It is only then that the minority's nation-building can start without being hindered by the majority (or even with its endorsement) and the majority's nation-building process can continue within the new framework defined by the reconciliation process. At the centre of both processes should be democratic and equal citizenship.

Democracy and citizenship for Jews and Arabs in Israel

Thus far, I have argued that reconciliation is a precondition for multicultural citizenship, at least in those cases where the very legitimacy of the state has been founded on a politics of historical denial. In such circumstances, in the absence of reconciliation, majority nation-building will inevitably require suppressing the history and culture of the national minority, and minority nation-building will inevitably be perceived as an existential threat to the dominant group. The only path to a genuine multicultural accommodation of the national minority, including such things as self-government and collective rights, is through contesting historical denial, and pursuing reconciliation.

This argument may sound attractive in principle, but what would it mean in practice? In the remainder of the chapter, I want to focus on the case of Israel. Before I turn to the case study, I should mention that Israel might be a unique case in history, in the sense that it is the product of a historical (and in many ways ongoing) colonisation enterprise in which:

1. most of the indigenous population was forcibly dispersed from its homeland and replaced by the colonisers but a minority remained in their homeland and were turned into Israeli citizens;³¹
2. the colonisers, in the process of taking over the land, formed a new national identity – the Israeli Jewish identity – centred around the colonised land itself and the historical linkages to it, including the

- revival of the ancient Hebrew language (and around a dramatic common history of victimisation and a modern history of conquering the land and continual wars); and
3. in this process, the colony became the settlers' only motherland; new generations of settlers and their descendents and new immigrants who came to the conquered lands were moulded into the new national identity – the Israeli Jewish nation.³²

Yet, even if unique, the case of Israel and its Palestinian citizens can help us examine the relationship between the politics of historical denial, reconciliation, and citizenship; this case can also show how formally democratic processes can perpetuate the politics of denial, fail to deal with historic injustice and accordingly widen the rift in divided societies with historical injustices.

Israel is a state with two national groups, Israeli Jews and Palestinian Arabs (the latter comprising about sixteen per cent of the citizens of the state.³³ Israel, however, does not recognise the Palestinian Arab minority as a national minority. Israel is defined, institutionalised and constitution-alised as a Jewish state and it recognises one national group only – the Jewish group (including those who are citizens of Israel and those who are citizens of other states) – as the group connected with the state. As such, Israel is far from adopting multicultural citizenship and a multicultural model.

But before addressing the issue of multiculturalism, one should ask, is there democratic citizenship in Israel in any other form? After all, Israel is generally considered a democratic state in the international political and academic discourse, which implies it must have democratic citizenship.³⁴ But what sort of democratic citizenship is it?

Arab and Jewish citizens form two different and divergent 'moral communities' when it comes to the legitimacy of the state and its foundational moral identity. As Kymlicka points out, if states 'are to function as bounded ethical communities, then people must not only agree on the principles which govern their community, but must also agree that they in fact form a single ethical community which belongs together and should govern together'.³⁵ Citizens, Kymlicka argues, must believe that they belong to the same community: they must perceive each other as 'one of us'. But the moral consensus that formed the foundation of the Jewish state, as articulated throughout its history and as adopted by consensus by

its Jewish majority, has been that Israel is the state of the Jewish people. Arabs drastically diverge from this moral community and share a different moral consensus: 'equality for all citizens in a state for all its citizens'. The Arab minority considers the majority's moral consensus immoral because it violates principles of equality and inclusion. The majority considers the minority's moral consensus extremist and subversive of the very identity of the state. 'A state for all its citizens,' the majority's argument goes, is inconsistent with Zionism's moral, historical mission of establishing a Jewish state in Palestine and as such, it is constitutionally unacceptable.³⁶

This condition of what can be called 'moral antagonism' between the two groups can best be represented in the attitude toward Zionism. As the state ideology, the vast majority of Israeli Jewish citizens consider Zionism as the national movement of the Jewish people and as the ideological force behind 'liberating' Palestine from 'foreign' occupation and establishing in it the Jewish state; they consider themselves Zionists, use the term with pride, and see the few anti-Zionists among them as people who have deserted the national cause. The vast majority of Palestinian Arab citizens see Zionism as a racist ideology.³⁷ This moral antagonism extends to issues at the core of Israel's national existence and identity such as the Law of Return and the Right of Return.³⁸ The Law of Return, which gives every Jewish person in the world an automatic right to Israeli citizenship and considers Jewish immigrants as 'returning to their homeland', is opposed by Arab citizens and considered to be a racist law.³⁹ At the same time, the Palestinian Right of Return – the right of Palestinian refugees who were forced to leave their homeland when Israel was established to return to their places in what became Israel – is consensually supported by Palestinian citizens but opposed by the vast majority of Jewish citizens and forcefully so by Israel.⁴⁰

In Israel, within Jewish political, academic, and constitutional circles, the state is considered by broad consensus to be both Jewish and democratic.⁴¹ Arab citizens, by contrast, consider this a self-evident contradiction.⁴² This being the case, it is clear that Arab and Jewish citizens do not feel they are an 'ethical community' or a 'moral community' as defined by Miller and Tamir,⁴³ in which citizens have moral obligations to one another or are bound by liberal egalitarianism. Indeed, the Jewish majority, as well as the state itself, rejects the principle of full equality between all citizens because such equality violates the principle of a Jewish state.⁴⁴ By and large, Arab and Jewish citizens of Israel do not *consider one another as 'one of us'*.

The Arab minority's political views on how to change this state of affairs and reach equal citizenship have been developing over the years. The most coherent positions were formulated during 2006 and 2007 by secular nationalist groups in three documents that were published by three separate but overlapping groups of Arab intellectuals and political activists.⁴⁵ All three documents call for: facing the politics of denial and rectifying the past injustices inflicted by Israel and the Zionist project on the Palestinians; equal citizenship between Palestinian Arabs and Israeli Jews inside Israel; and a binational or consociational arrangement between the Israeli Jewish national group and the Palestinian Arab national group. Of these documents, *The Haifa Declaration*, clearly spells out the terms of reconciliation for each side. The list of requirements for the Israeli side is consistent with the terms of reconciliation defined above. As to requirements for the Palestinian minority, the document states that historic reconciliation 'also requires us, Palestinians and Arabs, to recognize the right of the Israeli Jewish people to self-determination and to life in peace, dignity, and security with the Palestinian and the other peoples of the region'.⁴⁶

One can argue that as long as the state provides basic liberal rights, it is up to the majority to define the state's identity and common good. Indeed Israel does provide all citizens, including its Arab citizens, with many basic liberties recognised by liberal democracies: the right to vote, to run for office and to have political representation, the right to due process, mobility, free speech and so on.⁴⁷ But with respect to another value that liberal theorists such as Rawls⁴⁸ view as central to liberal democracy – namely, equal opportunity – the state and the majority proudly link equal opportunity to ethnic affiliation and not to *citizenship* because this is related to the majority's moral values with regard to its own common good. The state and its institutions play a vigorous role in defining the common good in ethnic terms – to such an extent that the term *ethnocracy* was coined in academic circles to describe the Israeli political system.⁴⁹ In this sense, Israel can be seen as embodying a communitarian approach in which the state and society – defined by the majority – articulate an ethnically specific conception of 'the good life' and distribute resources accordingly. Thus, the fact that there is no equality of opportunity in the distribution of resources, education, employment and so on is completely in line with the community's definition of its 'way of life'. The society and state are involved in public deliberation of what defines this way of life and which values are to be given the highest priority. Good ways of life

can become the subject of state advocacy. This sort of communitarianism has had its philosophical defenders, but, as many critics have noted, this emphasis on community culture, sentiment, history, and so on backfires when the state is not ethnically homogeneous, leading to exclusion and injustice.⁵⁰

In order to avoid these dangers, many liberal theorists emphasise the virtue of ‘public reasonableness’. Liberal citizens ‘must give reasons for their political demands, not just state preferences or make threats’.⁵¹ Moreover, these reasons should be subject to public reason, deliberations, persuasion and understanding by people from different cultures. They cannot rely solely on scripture or tradition. ‘Liberal citizens must justify their political demands in terms that fellow citizens can understand and accept as consistent with their status as free and *equal* citizens.’⁵²

It seems clear that the current theory and practice of citizenship in Israel fails this test of public reasonableness. What public reasons can a Jewish citizen present to an Arab citizen to explain persuasively why she or he should accept that Israel be defined as the state of the Jewish people when it has a sizeable Arab minority and while millions of Palestinians who originated from that land are still refugees? What public reasons can be presented as to why equality between Jews and Arabs in a state for all its citizens is considered an *existential threat* to a democratic state? Or why should an Arab citizen accept the Law of Return (for Jews) or willingly forego the Right of Return (for Palestinians)? In essence, why should an Arab citizen accept inequality in her or his own homeland?

Some theorists have hoped that, where public reason fails to generate a consensus, we might at least be able to achieve an honourable compromise.⁵³ But can a compromise be found between two national groups, one seeking equal democratic citizenship and the other – the dominant group – arguing against equality? It would seem that such an arrangement can be reached and imposed only by force upon a minority, and it’s not clear why a relationship between the citizen and the state that imposes unequal status by force deserves the label of ‘democratic citizenship’.

Many scholars have attempted to identify the specific sort of democracy and citizenship found in Israel. As Smootha shows, Israel does not fit any of the existing theoretical models of democracy: it is not a liberal democracy, a multicultural democracy or a consociational democracy.⁵⁴ At the same time, the Israeli state does not fit the model of the *Herrenvolk* democracy advanced by Van den Berghe to describe the pseudo-democracy

of whites in South Africa under apartheid⁵⁵ because, although this captures the aspect of democracy without equal citizenship, Israel has some democratic features as mentioned.⁵⁶

Why is Israel almost unquestionably treated as a democratic state in academic discourse, even though it fails to fulfil the normative criteria articulated by democratic theorists and fails to fit into existing typologies of democratic models? This is not an easy question to answer. What I can offer here is a hypothesis that lends itself to further examination and which is – in a way – derived from the relationship between citizenship and reconciliation discussed above. I suggest that academic discourse on the Israeli political system, by and large, suffers from the politics of historical denial.

Within this discourse, Palestinian citizens in Israel are considered 'Israeli Arabs'. They are treated as a group without historical roots in the country known as the 'Jewish homeland' and as if they are without historical narrative and memory – more akin to immigrants than to an indigenous national group whose narrative is completely repressed. When their relationship with Israel is the subject of examination, emphasis is placed on the liberal rights that they enjoy (to be weighed against the security concerns of Israel), while the history of injustice caused by the creation of the State of Israel and its historic responsibility are overlooked, denied or justified by its security concerns.

This prevailing politics of historical denial can only be understood, I believe, by examining the relationship between power and knowledge, both within Israeli academia and beyond. The complex ancient and modern history of the relationship between the West and Jews, the special status of the relationship between the United States and Israel and the 'sensitivity' many academics prefer to show when dealing with Israel lead many to resort to the comfortable default option supported by the existing consensus.

So there are unresolved questions about how best we should characterise or label the existing state of democracy and citizenship in Israel. Despite the tendency uncritically to include Israel in the list of democracies, we should not assume that there is a 'normal' level of democratic citizenship in existence there, on top of which we would now like to build a more deliberative or multicultural conception. On the contrary, I would argue that the same politics of historical denial that impede the possibility of a more robust multicultural citizenship have eroded the possibility of

achieving the basic liberal-democratic norms of equal opportunity, consent and public reasonableness.

The crucial question, then, is how we can address the politics of historic denial. In the next section, I approach this by examining an initiative in Israel to draft a constitution. In many ways, this initiative was inspired by important democratic ideals, including those of consent, public reason and deliberative democracy.⁵⁷ However, I argue that because these deliberative processes focused exclusively on the future of relations between or among national groups without adequately addressing questions of history, the potential for progress toward multicultural citizenship was lost.

The pitfalls of deliberating the future without addressing historic denial

Deliberative processes are said to be useful in moving from a 'vote-centred' to 'voice-centred' conception of democracy, thereby involving citizens in deliberation about public policy decisions. The deliberative process helps elicit citizens' views in a broad process in which citizens take part in discussing and analysing major public issues, particularly those related to public policy and justice, before official decisions are made. Among the benefits of such deliberative approaches are the legitimacy that decisions gain by broad civic participation, eliciting new and innovative ways of thinking about public issues, and the possibility of arriving at broad social agreement (and even consensus) among citizens on some major justice-related issues. This process is believed to give voice to marginalised groups and, as such, to contribute to their empowerment, as these groups will express their views about what will be fair for them. Conversely, groups whose voice is not allowed to be heard will be much less likely to embrace decisions that evolve out of a process from which they have been excluded.

In this way, deliberative democracy is often seen as an important ally of minority groups and of multiculturalism. However, in cases of entrenched historical denial, we cannot take these benefits for granted. What is likely to happen, instead, is that the majority defines the terms of the public debate and the allowable parameters within which it should take place – parameters that guard against the emergence of denied history because of what that explosive history might imply for the very future of the state's identity and the meaning of equal citizenship. By virtue of imposing such limitations on the deliberative process, the majority actually ensures the perpetuation of existing non-democratic relations between cultural groups.

In order to demonstrate how this can happen, consider the serious initiative undertaken in Israel over many years, starting before the year 2000, to draft a constitution. The initiative was spearheaded by the Israel Democracy Institute (IDI), a non-governmental organisation. I reviewed the literature describing the process the IDI followed over the years and the draft constitution it produced.⁵⁸ The IDI succeeded in placing the issue of drafting a constitution for Israel on the public agenda. Not only did it draw attention to the fact that Israel does not have a constitution, the IDI, an unofficial body, undertook the task of formulating a draft constitution and contributed to a Knesset effort to do the same.⁵⁹

The IDI's initiative was named a 'constitution by consensus', conveying the impression that all segments of Israeli citizens would be involved in deliberating and contributing to an agreement on the constitution's broad principles and provisions.⁶⁰ In line with this goal, IDI was involved in a serious deliberative effort: organising well-publicised meetings of the project's 'public council' that included over a hundred people, publishing the proceedings of these meetings, placing large advertisements in major newspapers, starting an educational process in schools, securing the participation of hundreds of scholars – in the humanities, social sciences and legal studies – former judges, military leaders, members of the Knesset, former ministers, economists, lawyers, former public servants, and so on. The effort included people from across the Israeli Jewish political spectrum: left and right, religious and secular, men and women. The IDI seems to have been applying a deliberative process for the purpose of trying to reach consensus.

The organisation held twelve well-publicised meetings for its 'public council'. The meetings covered all aspects of a constitution: government type, judicial control, state and religion, rights, local government, the state's character, the executive branch and more. Meetings were held as small conferences with a number of discussion groups, workshops and invited speakers. These speakers included members of the IDI's 'public council' as well as senior speakers from the academy, government, judicial and public sector.

Given that the rift between Arabs and Jews is one of the major social and political issues in the country, the IDI made some effort to elicit the participation of Arab citizens. The IDI published articles about their project in some Arabic newspapers, invited Arab participants to attend 'public council' meetings and tried to open dialogue with Arab members of Knesset as well as other public leaders. Furthermore, it organised a special

‘study day’ in Haifa in order to encourage Arab participants to attend. By doing so, the IDI considered that it had operated according to some norm of non-discrimination in terms of access and participation. Indeed, some Arab participants did attend the ‘public council’ meetings, including some Knesset members, academics, heads of local councils, and other public figures.

However, these efforts failed to engage the Arab participants, the Arab community in general or its elites in any serious dialogue on the major issues in the constitution. Arab participation was limited, and Arabs’ role negligible, in the formulation of the draft constitution. The project director reported that less than a quarter of the Arabs who had been invited to attend the meetings of the ‘public council’ did so.⁶¹ But even those who did attend were mostly assigned the role of inactive participants. Taking the first three meetings as a sample, I performed a comprehensive review of the proceedings and found that among dozens of speakers who had discussed the various issues, not a single one was Arab. Many of the conferences involved scores of Jewish experts as speakers, but not one Arab researcher was asked to provide expertise. All the project’s board members were Jewish, as were all thirteen of those who produced the final draft.⁶²

Many Arab invitees realised that this project, whose point of departure was that Israel was a ‘Jewish and democratic’ state, avoided the issues of historic injustice and did not open the door to any serious debate about the denied history or the state’s exclusively ethnic identity. Their participation, therefore, was assumed to grant the appearance of ‘procedural’ legitimacy to an effort with which they fundamentally disagreed and which was (implicitly or explicitly) framed as concerning ‘the Jewish people’ rather than a more inclusive ‘we the people’ as is clear in both the draft documents and in the declared positions of the drafters themselves.

The relationship between the ideological positions of the drafters and the draft constitution they eventually produced was not hidden. To the contrary: each of the thirteen drafters provided a written statement of his (they were all male) fundamental beliefs entitled ‘I believe’. The IDI also produced an integrative summary statement called ‘The Collective I Believe’, which summarised all thirteen statements. The collective summary opened by identifying the common denominator of the individual statements – namely, ‘the recognition of the importance of the State of Israel as the sovereign home of the Jewish people, the place in which the Jewish people will realize their right of self-determination’. The summary added:

The adhesive cement that allowed compromises is the perception that the State of Israel is the actualization of the Zionist dream. The State of Israel is the revival of the Jewish people's aspirations over generations, and the driving force for this revival is the Zionist movement. The constitution proposal...expresses a Zionist 'I Believe' in the broad and diverse sense of the word. As such, and on the basis of Zionist foundations, the constitution sees in granting civic equality to the Arabs of Israel an important base for its justification, as it reflects the Zionist effort to found Jewish sovereignty in Israel on the values of humanism, liberalism, and fraternity.

The summary goes on to describe how various Zionist views – liberal, religious, socialist and revisionist of all the founding fathers of Zionism – are expressed in the 'Collective I Believe' and in the proposed constitution. Then the summary argues that the proposed constitution strove to create 'equilibrium' between 'Jewish state' and 'democracy', therefore placing emphasis on a 'Jewish and Democratic' state.

A glimpse of how indisputable the issue of the state's identity as 'Jewish and democratic' is to the drafters and to the whole project can be seen in the implicit threat made by the IDI's general director to those who could not bring themselves to agree with this definition. In response to an Arab critic who questioned the concept, he wrote:

It is true that there is an insignificant minority [within the Arab community], a minority with abilities and resources, which will not accept the state of Israel as Jewish and democratic even if it guarantees full equality for Arabs. This extreme position will have neither the power to change the definition of Israel as 'Jewish and democratic,' nor the power to achieve full equality. On the contrary, this position will justify the attitude of the Jewish majority towards the Arab minority as presenting a threat to the very existence of the state, and it will encourage the Jewish majority to continue with the policies of discrimination and deprivation. This position will cause the relationships between Jews and Arabs to become more radical and severe, and it might even lead to a situation in which an increasing number of Jews justify and support the despicable and illegitimate positions of transfer, the exchange of territories heavily populated by Arabs...and the denial of the rights of Arabs in Israel. This position is contrary and opposite to the interests and desires of the majority of the Arab community in Israel.⁶³

A closer look, therefore, shows that the term 'consensus', in practice, referred to broad agreements among the various groups within Jewish society and Zionism. Including the Arab national group within Israel in this

consensus about constitutional issues would have necessitated a discussion with the Arab national minority about the history, identity and politics that are suppressed in Israel and that are held within the safe zone of 'Zionist consensus'. Questions such as how Israel was established, how the Palestinians in Israel became a minority, the place of Palestinian refugees in this discussion, the morality of the Law of Return, the Palestinian Right of Return, divergent views about the legitimacy of Zionism, the nature of binationalism in Israel and how that can be reflected constitutionally, the meaning of equality and multicultural citizenship in a state defined as Jewish, the inherent paradox in defining the state as Jewish and democratic, the issue of occupation of Palestinian land, and even Israel's borders, are all central to the constitution of a country composed of two national groups – Jews and Arabs, with one group acquiring the country in a colonial project and the other a homeland minority indigenous to it. Yet these concerns are systematically ignored in the document and its preceding deliberations.

Not surprisingly, this process produced a document that perpetuates ethnic exclusion. To take just a few examples: the proposed 'constitution by consensus' is founded on the values of Zionism, but the vast majority of Arab citizens see Zionism as a racist ideology; it includes a 'law of return' for Jews when this law is seen as discriminatory and racist by most Arab citizens; it defines Israel as Jewish and democratic when most Arabs oppose that definition on the grounds that it excludes them and that it holds an inherent contradiction; and it ignores the Palestinian Right of Return when most Palestinian citizens support such a right and care about the fate of Palestinian refugees who are their people. The ethnically homogeneous nature of the constitution is also reflected in the statement that 'Hebrew is the language of the state' and that 'the Hebrew Calendar is the official Calendar of the state', both designed, as explained by the drafters, to express the character of the state of Israel as a Jewish state. Furthermore, the draft constitution incorporates the Declaration of Independence of the State of Israel in its entirety as its preamble. This declaration does not speak in the name of 'we the people' or 'we the citizens' but in the name only of Jewish people (in Israel and worldwide) and its representatives.

On all these central issues (and many others), there seem to be two different consensuses: an Israeli Jewish consensus and a Palestinian consensus for the Arab citizens of Israel. The IDI's 'constitution by consensus' reflected the Israeli Jewish consensus and completely ignored the minority's consensus. The deliberative process that was undertaken to reach the

‘constitution by consensus’ ended up being in essence a purely ethnic process. As a result, it produced a document that represented one national group in a state with a binational reality. Thus, the major advantages of the deliberative process were undermined. Instead of including and empowering the historically marginalised Arab Palestinian citizens, the process excluded them and ensured their continued subjugation; instead of gaining a broad legitimacy, the process achieved legitimacy only among the ethnic group it represented; and instead of sowing social unity among the citizens, the process contributed to exacerbating social divisions by giving voice to only one national group – a voice which seemed, in many ways, in direct conflict with the consensus of the other national group. The end result was that the draft constitution perpetuates ethnic dominance at the expense of equal citizenship and multicultural democracy.⁶⁴

How did a deliberative project aiming at ‘consensus’ – planned with much care, backed by some of the most prominent academics, constitutional experts and public policy specialists in the country, working in parallel with official processes and supported by the goodwill of the elites – end up being so ethnic and exclusionary in its process and outcome? To ask this question differently, were the process and outcome inevitable or could they have been truly inclusive, empowering, uniting and legitimacy-promoting as democratically deliberative processes purport to be? One should then ask how a deliberative process led to this outcome? And, what could be done to overcome this possible pitfall?

For the process to agree even on the *opening sentence* of the preamble – ‘We the People’, ‘We the Citizens’, indeed, merely ‘We’ – the sentence would need to have emerged from an extensive deliberative process in which the two national groups participated on an equal basis.⁶⁵ For such a statement to be agreed upon, the real issues in the conflict, as enumerated above, would have to be discussed between the two groups and resolved. But for that conversation to start taking place, the history of the creation of the State of Israel in the homeland of another nation and the transformation of the Palestinian Arabs into a minority would have to be discussed. For a deliberative process to overcome the politics of historic denial, it should engage the two groups in a reconciliation process at the centre of which stand the issues of justice, truth, responsibility and the need to restructure the relationship between the two groups – issues which are all currently hidden. For multicultural citizenship to be achieved, the politics of reconciliation should be employed in order to overcome the politics of denial.

In summary, multicultural citizenship in deeply divided societies in which massive injustice has been committed cannot be achieved without overcoming the politics of denial. The process that I suggest here is reconciliation. As Kymlicka argues, ethnocultural justice should be a focal question in how to achieve multicultural citizenship.⁶⁶ The politics of reconciliation, in which ethnocultural justice is central, will have to examine the history of injustice, and issues of historic truth and responsibility will also have to be addressed. Without addressing these issues, the restructuring and reconstitution of the relationship between national groups in conflict cannot be fully achieved. For the victims of massive injustice, equal citizenship requires addressing historical truth and responsibility. The politics of recognition or redistribution of resources are not sufficient for multicultural citizenship. Equal citizenship for the group that has experienced past injustice will require reconstituting and reopening its history and narrative and, therefore, overcoming the dominant group's politics of denial. Only by applying the politics of reconciliation can groups reach an agreeable narrative on history and responsibility as the foundations for the same ethical community that shares the same 'we', even as two distinct communities. This will also allow for a genuine process of minority nation-building in which its denied history is central to its own culture.

This undertaking may seem ambitious, or even utopian, but failing to address the politics of historical denial will inevitably obscure and perpetuate relations that fail the test of democratic citizenship. This, at any rate, is the lesson suggested by the Israeli case discussed in this chapter. The politics of historical denial have blinded both the general public debate and scholarly analysis to the undemocratic nature of the state as it stands, and has undermined efforts to create a more deliberative and consensual framework for future reform, thus further entrenching the deep moral antagonism between the two communities. The only way to overcome this impasse is directly to attack and expose the entrenched politics of historical denial imposed by the majority.

Notes

1. This chapter was first published in 2008 as a chapter entitled 'Reconciling History and Equal Citizenship in Israel: Democracy and the Politics of Historical Denial' in *The Politics of Reconciliation in Multicultural Societies* edited by Will Kymlicka and Bashir Bashir (70-79, with the relevant references from 215-237). It is reprinted here (with minor stylistic changes) by permission of Oxford University Press.

2. Assertions about Israel's non-democratic system have been limited to its relationship with Palestinians in the occupied territories, not to Israel proper. One prominent example is ex-US president Jimmy Carter's argument which draws a sharp distinction between Israel's democracy within the 1967 borders and the apartheid that exists in the occupied territories (Carter 2006).
3. For a discussion of what kind of democracy Israel is, see Smootha (2001).
4. Kymlicka (2002).
5. In practice, this option is quite rare. Kymlicka (2002) cites two examples from the recent history of Eastern Europe. In both cases, mass emigration took place to states with ethnic nationalism – ethnic Germans emigrating from Kazakhstan to Germany and Jews emigrating from Russia to Israel. In the case of Israel, the state has a special agency with representatives in various countries to encourage Jewish citizens of these countries to leave their homes and immigrate to Israel. They receive generous financial incentives to do so. In the case of Jews from Russia and from the former Soviet Union, there was a concerted international effort, including US intervention, to direct their emigration to Israel and not to the United States.
6. Kymlicka (2002: 349).
7. The argument that the 'politics of reconciliation' should be introduced into defining democratic multicultural citizenship applies also to another major option discussed by Kymlicka (2002) – integration. In the case of immigrant societies such as the United States, Australia and Canada, new generations of immigrants from historically marginalised cultural groups often present the argument that the history of the early generations of immigrants from their groups should become part of the history of the country and its culture for their citizenship to be equal. This argument becomes more relevant in the case of past injustice – like that suffered by the African American community and to a lesser extent the Japanese Americans.
8. Kymlicka (2002: 362).
9. Whether the project itself represented the national movement of the Jewish people or not is besides the point for my argument. What matters for the question of reconciliation is that the project was begun outside Palestine by people who were citizens of other states and who were foreigners to the indigenous Palestinian population.
10. Rouhana (2006a).

11. In 2007, three groups of Palestinian citizens of Israel issued documents that called for the eventual transformation of Israel from a Jewish state into a binational or bilingual state. One of the three, 'The Haifa Declaration', which was formulated by a group of Arab academics and intellectuals, called for a democratic state founded on complete equality between the two national groups – Israeli Jews and Palestinian Arabs. The document articulated the key political demands of the Palestinian citizens of Israel: proportional distribution of resources, veto rights for the minority, power-sharing and corrective justice. See Mada al-Carmel (2007).
12. In such cases, manifestations of marginalisation are part and parcel of the imperative of historical denial. At the core of the majority's approach are not only the goals of maintaining economic and social dominance, but also the active process of repressing the minority's culture and historical narrative because their emergence directly threatens the majority's very legitimacy. Therefore, addressing these manifestations separately, without getting to the roots of the politics of historical denial, is insufficient from the minority's perspective.
13. For a discussion of the politics of redistribution and politics of recognition see Fraser (1998, 2000). See also Taylor (1994).
14. In the case of South Africa, it was the country's majority whose rights and narratives were denied, and this made the system of domination and the inequality inherent in settler colonialism too clear to deny. In cases like Israel where it is the majority that dominates the state, the formal structures of democracy can obscure the reality of inequality and make it more difficult to contest the denial of the minority's history in the name of equal citizenship.
15. The reaction of many Israelis to the efforts of Arab groups in Israel to articulate their collective vision for a democratic state based on power-sharing was that such efforts constitute a threat to the very existence of Israel as a Jewish state. The effort was described as: a 'strategic threat', a request for Jews to 'give up the homeland' (Golan 2006), 'threatening'; aiming to 'deny the Jews of this land their identity' (Schiff 2007), or implying that 'the Jewish people have no right for a state of their own' (Jacobson 2007).
16. Rouhana (2004a; 2004b).
17. This statement is not meant to imply temporal sequential order. These changes are naturally entwined and often result from a long social negotiation process that takes into consideration many of these issues

concurrently and that produces complex and simultaneous progress on many of them.

18. Although those involved in official international conflict-resolution processes often invoke the language of just agreements, in fact power relations, not justice, generally determine the outcome of agreements. Even the unofficial conflict resolution literature is thin on the issue of justice. With a few exceptions (such as Deutsch 1974; 1985; Grillo 1991; Opatow 1990), justice has often been overlooked, perhaps because it was assumed to compromise the conflict-resolution effort.
19. For a theoretical distinction between reconciliation and conflict settlement or conflict resolution, see Rouhana (2004a).
20. See Kymlicka (1995; 2001; 2002) and other theorists' attempts to define ethnocultural justice – for example, Minow (1998) and Young (1990). Kymlicka (2001) argues that even if one uses a minimalist definition of ethnocultural justice such as 'the absence of oppression and humiliation' between national groups, justice remains essential for multicultural citizenship. A Rawlsian definition of multicultural justice would use Rawls's 'veil of ignorance' metaphor to ask people who do not know to which group they were going to be born to agree on the terms of their relationships.
21. Crocker (1999); Dwyer (1999); Little (1998); Minow (1998); Popkin and Bhuta (1999); Tutu (1999).
22. Hayner (1994).
23. Bar-Siman-Tov (2001).
24. Haskell (1998).
25. Crocker (1999).
26. See Hayner (1994). One pioneering effort in this regard was started by the Bosnia and Herzegovina Truth and Reconciliation Commission. The central goal of the commission was 'the establishment of a historical accounting' of wrongdoings by a commission that included members of all ethnic groups in order to 'establish consensus history' (Little 1999: 80).
27. Hayner (2001).
28. Popkin and Bhuta (1999).
29. Wilson (2001).
30. See note 19.
31. On the use of force in the encounter between Zionism and the Palestinians, see Rouhana (2006a).

32. The controversies over whether Jews constituted a nation and whether Zionism was a legitimate national movement do not affect the summary presented here. Another facet of uniqueness in this case is that Israeli political and academic discourse alike do not use the terms 'Israeli people' or 'Israeli Jewish people'. Instead, they use the terms 'Israeli public' or 'Israeli society'. The words people and Israel are used in a special combination 'The people of Israel – A'am Yisrael' to mean the Jewish people.
33. About sixteen per cent of the *citizens* of the Israeli state are estimated to be Palestinian Arabs. Israeli statistics give a higher figure because they include the Palestinian residents of occupied East Jerusalem and the Syrian Arabs in the occupied Golan Heights with their official figures for the Arab citizens.
34. There is an increasing challenge to this academic consensus about Israeli democratic citizenship, mostly from within Israel, and mainly from Arab scholars, but increasingly from Jewish scholars too. See Amnon Raz-Krakotzkin (2002); Bishara (2005); Ghanem (1998); Pappé (2004); Rouhana (1997); Sussman (2004); Yiftachel (1999).
35. Kymlicka (2002: 257).
36. Rouhana (2006b).
37. Rouhana and Saabneh (2007).
38. This moral antagonism is also true of central political beliefs and attitudes concerning the conflict between Israel and other Arab nations. For empirical examination of the extent of this antagonism, see Rouhana (1997).
39. Bishara (2005: 428-448); Rouhana and Saabneh (2007).
40. Rouhana and Sabbagh-Khouri (2007). Three separate documents on the future status of the Palestinian minority in Israel were published in 2006 and 2007 by a wide range of Arab academics and political elites; all three documents support the right of return. See Mada al-Carmel (2007), Adalah (2007) and the National Committee for the Heads of the Arab Local Authorities in Israel (2006). One of the three, *The Haifa Declaration*, stated that reconciliation between Israelis and Palestinians 'requires recognizing the Right of Return and acting to implement it in accordance with United Nations Resolution 194' (Mada al-Carmel 2007: 15).
41. Rouhana (2004c; 2006b).
42. Rouhana and Saabneh (2007). The three Arab documents mentioned in note 40 called on Israel, in various ways, to change its definition from a Jewish state to a democratic state.

43. Miller (1995); Tamir (1993).
44. The whole concept of 'ethnic democracy' developed by Sammy Smooha (2001) and broadly supported in Israeli academia is founded on the idea that a Jewish state cannot give its Arab citizens equality. Public opinion polls show that large segments of the Jewish public do not support equality in Israel and that many support encouraging the Arab citizens to leave the country (Sultany 2003).
45. See note 40. Although prepared independently, these documents express similar political visions. Although they did not represent official political parties, the documents seem to be supported by the various national secular parties.
46. Mada al-Carmel (2007: 15).
47. Although Israel ostensibly provides these liberties to its citizens, they are not without limitations, some of which are serious. To mention one example, the right to run for office is seriously constrained for Arab citizens running for the Israeli Knesset as their parties run the risk of being outlawed if they challenge the Jewish identity of the state.
48. Rawls (1971).
49. Yiftachel (1997).
50. Kymlicka (2002).
51. Kymlicka (2002: 289).
52. Kymlicka (2002: 289). See also Benhabib (1996a); Gutmann and Thompson (1996).
53. Gutmann and Thompson (1996).
54. Acknowledging that Israel is defined in ethnic terms, Smooha (2001) is strongly biased in favour of the Jewish group and argues that Israel fits a new model of democracy that he develops, a model that does not guarantee individual or collective equality. The internal contradictions inherent in this model begin with its very name: 'ethnic democracy'. For a critique of the model, see Ghanem et al. (1998); Rouhana (1997).
55. Van den Berghe (1967).
56. Terms such as 'ethnic state' (Ghanem (2001); Rouhana (1997); Rouhana and Ghanem (1998) and 'ethnocracy' (Yiftachel 1999) have been used to describe the Israeli system.
57. See Bashir (2008).
58. I relied on the material published on IDI's website, <http://www.idi.org.il>. Most material on the 'constitution by consensus' initiative is in Hebrew.

All quotes included in this section are from this website, which I translated.

59. The Knesset's Constitution, Law and Justice Committee has taken upon itself to advance this effort, and has become the official body leading it.
60. When the question was raised about whose consensus the IDI referred to, the answer was that it included the consensus of the Arab minority in Israel in addition to all segments of the Israeli Jewish society. See Rouhana (2004c); Avramovitz (2004).
61. Personal communication with Amir Avramovitz, 12 August 2007.
62. It is revealing that the IDI itself is an ethnic project. In terms of its structure, the IDI has not a single Arab among its dozens of researchers, fellows, associates and staff. It is noteworthy that its members include only one Arab citizen – an individual who served in the Israeli army, a duty that is not required of Arab citizens of Israel and is strongly opposed by the Arab community as a whole.
63. Avramovitz (2004).
64. Obviously, the IDI and the drafters see 'constitution by consensus' as having been an inclusive process that produced a genuinely representative constitution.
65. Instead, the preamble opened with the statement about the Jewish people: 'The Land of Israel was the birthplace of the Jewish people. Here their spiritual, religious and political identity was shaped.'
66. Kymlicka (2002).

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Chapter Seven

Staying Put: Crossing the Israel-Palestine border with Gloria Anzaldúa¹

Smadar Lavie

This chapter tells the story of Fatma (a veiled, old Palestinian woman from 'Akka), my ultraorthodox Yemeni granny and myself.² Fatma and I met at three points in our lives. The first was in 1992, when I was a professor researching the new phenomenon of Palestinian feminist NGOs in the State of Israel. In 2001 I met Fatma's ghost, conjured up by Fatma's daughter, an Islamist small-business owner. I encountered Fatma for the third time in 2006 when the Knesset (Israeli parliament) displayed photos of her and my grandmother on its walls. This exhibit tried to spice up existing photos of female Ashkenazi (Hebrew for European Jews) Zionist leaders by adding in photos of Mizrahi (non-European Jews) and Palestinian-Israeli neighbourhood women activists.

Gloria Anzaldúa, an auto-ethnographer of her own culture, writes that the border is an 'open wound... where the Third World grates against the First and bleeds. And before a scab forms it haemorrhages again, the lifeblood of two worlds merging to form a third country – a border culture'.³ She proposes that this 'third country' is where south-south feminist coalitions are possible without the mediation of US-European feminism.⁴ In this chapter I argue that in the case of Euro-Israel, the volatile south-south coalition of gender-race-nation⁵ among subaltern Arabs is forced on Mizrahi women as well as Palestinian women with Israeli citizenship like Fatma. These women do not want to be in this 'third country', dispossessed of their lands, languages and cultures. They are stuck. For them, Anzaldúa's border's imagistic ambiguity is not liberating but, rather, claimed by the Ashkenazi Zionist hegemony as yet another frontier to conquer.

For Anzaldúa, south-south feminist coalitions are often discursive constructs, but in Palestine-Israel, they are involuntary time-spaces that are lived somatically.⁶ Thus, the borderzone between transnational hyphens connotes fluidity and movement across boundaries for Anzaldúa, but this chapter argues that the Mizrahi and Palestinian-Israeli hyphens are what allow subaltern non-European women in the State of Israel radically to stay put.⁷ Staying put thus becomes a source of empowerment,

a means of dancing delicately on the hyphen while concurrently rejecting it, in the hopes that life becomes easier if one is able to enter the Ashkenazi mainstream ‘centre of culture of power within the state’.⁸

When the upheavals of life unexpectedly forced me to move back to Israel and become my own informant, I realised that staying put is not representational but somatic, and therefore difficult to theorise beyond the bounds of the lived. Why and how was I forced to revise the anthropological process of inquiry when dispossessed professionally and personally by the State of Israel? How did my own daily experiences become a source of insight into intra-Jewish racism? Through focusing on my meetings with Fatma, I question the feminist ethnographic renditions of ‘discourse’ and ‘transnationalism’ by examining the limits encountered by feminist postcolonial methodology and theory that attempt to describe lived horrors of borderzone traumas.⁹

This chapter thus challenges the modes of textualisation of the gendered ethnographic experience and questions not only the older ‘reflexive’ style of feminist ethnographies, but also the new genres of feminist ethnography that call for, yet problematise, the ethnographer’s commitment to bear public witness to suffering.¹⁰ It presents modes to dehegemonise the methodology and practice of anthropological fieldwork and ethnographic writing. It thus offers means to undo the power relations inscribed in standard anthropological processes of inquiry and to create accessible texts. These texts can be read both across disciplines and by the general public, linking academe, public sphere and feminist activism. Nevertheless, writing up the somatic is intricately elusive, precisely because somatic pains cut to the bone. It is an arabesque – an attempt to capture unspeakable torture through the intricate recapitulation of the horrifically lived.

Meeting Fatma

One sweltering August day in 1992, Kamla, a Palestinian feminist activist from ‘Akka (Arabic for Acre), an ancient harbour city on the northern Mediterranean shore of Israel-Palestine,¹¹ sent me to meet a Palestinian-Israeli woman whom we shall call ‘Fatma’. Kamla told me: ‘She is a feminist anthropologist’s dream. She is old, working-class, secular and lives in the old, walled town. She really is an indigenous informant. But she was the first woman around here to kick her battering husband out of the house and go to work. She mopped floors at the local school.’

I was hesitant to contact Fatma. When I hear about ‘really indigenous informants’ I recoil. I remember the paternalism embedded in the production of academic knowledge and the imperialist history of my discipline. ‘Really indigenous informant’ means taking a surreal journey through time and space, back and forth between the atavistic indigeneity of Fatma and the post-colonial subjectivity of Kamla, interlocuted through the language of theory I am supposed to conjure up to produce a publishable academic text. But I am drawn into playing my part in the theatricalised *vie quotidienne* coevalness of fieldwork.¹² In 1992, this meant an immediate chummy friendship between alleged equals – one from haughty academe, the other from a slum.

’Akka has not always been a slum. It was a Palestinian walled town until the 1948 Nakba (Arabic for catastrophe),¹³ when the new Zionist regime expelled most but not all of its residents. The regime resettled immigrant Jews there, but only non-Ashkenazim from North Africa and other Arab and non-Arab countries. Thus, ’Akka became one of the few mixed Israeli-Palestinian towns in the new State of Israel – where the remaining Palestinian Arabs, the new Arab-Jews and other Mizrahim lived side by side.¹⁴ The regime built concrete block housing projects for Jews only outside the town wall, but without essential public services to sustain them. When Mizrahi families had enough money, they sold their apartments at inflated prices to Palestinian-Israelis eager to move in and escape the over-crowded conditions in the old city. Both populations suffered underemployment, underfunded schools and local crime because of the police department’s deliberate neglect of the area, except for surveillance of the Palestinians on national grounds, that is.

Unlike the Palestinians, the Mizrahim do not belong to their own nation struggling for sovereignty. On the contrary, they are the majority of Israeli citizens,¹⁵ even though – like the hyphenated Palestinian citizens of Israel – they are treated as a racinated ethnic minority.¹⁶ Therefore, although Israel is forced to negotiate with the Palestinians as equals, it does not have to offer this level of recognition to the Mizrahim. The negotiations with the Palestinian Authority, however, never depart from the realm of ‘discourse’ while, on the ground, the Zionist architects of this peace continue to annex Palestinian lands, siphon off Palestinian water, blow up Palestinian homes and destroy any possibility of civic and family life through hundreds of roadblocks.¹⁷

Israeli human-rights NGOs – Ashkenazi Left and Zionist by default¹⁸ – acknowledge that there is racism against the Palestinians, but they do not admit to the racism Ashkenazim inflict on Mizrahim. In the Jewish state, all Jews are to be equal. Palestinians continue to speak and write and dream in Arabic. This mother tongue was cut off from Mizrahim. When they speak Hebrew with even the slightest trace of Arabic, the language of the enemy, it connotes the Mizrahi low class.¹⁹ The Ashkenazi Zionist regime, and its Ur-Design tactics of divide and conquer, pitted Mizrahim and Palestinians against one another. Throughout Israel, however, these two groups constitute seventy per cent of the population. The regime settled Mizrahi immigrants in 'Akka, impressing on them that anything Arab, like where they had just come from, was inferior.

When I met Fatma in 1992, the first intifada was winding down, while Israel was clandestinely manoeuvring to sign the Oslo Peace Accords, to position itself as the regional superpower in the post-Cold War globalised 'New Middle East'. One outcome of this 'New Middle East' was privatised and greatly reduced social spending.²⁰ The Palestinian citizens of Israel were the first to feel slashed welfare benefits. To fill the gap, some Palestinian-Israelis, under the strict and continuing surveillance of the regime, wrote grant proposals to international foundations and were able to establish their own NGOs.²¹ I had made the trip from Tel Aviv to 'Akka hoping to publish a scholarly scoop on the new phenomenon of Palestinian NGOs working to replace state welfare benefits. But Kamla's workday was so hectic she had no time to record an intense intellectual dialogue with me, as we had done before. So I called Fatma.

When Fatma heard I was an anthropologist, she immediately invited me over. As the evening breeze wafted in from the Mediterranean, we went and sat on stools on the balcony. I gazed down at the narrow alleys of old 'Akka and saw them full of wining-and-dining Israeli and foreign tourists. Oh no, I did it again! Smadar! Snap out of that Zionist imperialist nostalgia!²² You know that both Ashkenazi and Mizrahi Jews love that Israelised Palestinian cuisine. And they escape their modernistic urban cement blocks by weekend touring of crumbling Palestinian sites. But leftist Ashkenazi bohemian revellers eye dilapidated Arab houses keenly, ready to pounce on what will soon be the next real-estate boom ripe for gentrification. The state prohibits the original inhabitants from doing routine maintenance. By 2007, Palestinian property values had skyrocketed and only US or French right-wing Zionists or post-Soviet oligarchs could

afford to make the fine investment of owning a holiday home dating back to biblical times.²³

Meanwhile, back on the balcony, Fatma was pointing her finger: 'There's the heroin dealer again. He gives out free samples so kids will get hooked and then they work for him. They shoot up over in that house the regime boarded up when the family moved to the Projects. This other guy specialises in the hash and opium he gets from the Israeli Defense Force in Lebanon. The new biggest seller is Persian coke [crack cocaine]. It's cheap, even though it comes from Tel Aviv.'

'The Nakba split us up. I want you to meet my family.' She retrieved her well-worn photo albums from the massive buffet, showing off pictures of her older brother in Beirut, her cousin in Damascus, her middle brother in Toronto. Fatma went on like this, covering the globe with relatives: Venezuela, Doha, London.²⁴ Closing the last album abruptly, she said, 'People come, people go, people always moving around. I'd rather have them come here to me than go visit them, even though it's hip to travel. You know, the most radical act these days is to stay put.'

Screen-testing Fatma

In 1992, I settled down to my 'ethnographic authority',²⁵ writing a disjointed stream of field notes to let the concept designated 'Fatma' audition for a starring role in my scholarly show. Which theory, which setting and costume would best frame Fatma's lived reality on the post-structural-deconstructionist-postcolonial cognition big screen?

Is Fatma forced into agentless rhizomatic nomadism – a Deleuze and Guattari slide down a slippery slope through smooth surfaces?²⁶ Or is the rhizome her survival tactic against the war machine of capitalism? Is the Palestinian forced nomadism a viable alternative to structures of Euro-American dominance and hegemony?

Her category is third-world women. But Mohanty says this category objectifies third-world women so that US-Anglo feminist scholarship can redeem them through textual benevolence.²⁷ If we let Fatma follow in Alarcon's Chicana-feminist 'tracks of the native woman' who walks through multiple migrations and dislocations,²⁸ then conquest and colonisation would splinter Fatma into sets of racinated and gendered ethnic identities through which she would struggle for her own subjectification and juridical rights to resist. Unlike the anti-historical model of Deleuze and Guattari, the Alarcon model allows Fatma her cultural, historical and political

specificity, as a departure point that facilitates a critical consciousness. But the dream of return to Palestine has not 'been broken down by conquest and colonization'.²⁹ And Palestine is real, unlike the mythical Aztlán.³⁰

Or, following James Clifford, has Fatma transcended her 'Akka roots by means of the multiple airplane routes that unite her large extended family network?³¹ How could she? So many people cannot save enough cash to move their household. In 1992, when I was trying to fit Fatma into some theory, the shuttling of goods and people had caught the eyes of the researchers – roots transforming into rhizomes. The new generation of cultural studies scholars transcended the modernist tropology of world systems and leaped into flows and fluxes. But I decided rhizomes were inadequate and good old roots were unfashionable.

Maybe Fatma speaks in Gilligan and Lughod's 'different voice'?³² Well, she didn't speak to me with timid hints of pain shrouded in shame and she didn't distil and abstract her pain into poetic language. She said straight to my face that her husband battered her for many years.

So, is Fatma herself the *differend*?³³ Is she the Lyotardian signification of a conflict without possibility of resolution? She could have gone to a shelter for battered women, run of course by Ashkenazi feminists, but she wouldn't give them another opportunity to attack Arab patriarchy. Like the *differend*, she is always acting in pursuit of justice, yet in vain, because she refuses to be drawn into the juridical language of her dominator.

How about casting Fatma as a freedom fighter struggling for a homeland? If I shouted that with the anger it deserves, the first reader of the journal would toss it on the slush pile as a piece of Neanderthal essentialism. And my grant funds wouldn't cover a long enough stay in 'Akka for me to co-author a memoir with her, Rigoberta Menchu style.³⁴

Has Palestine been transformed into just a language game so it no longer contains its own legitimization?³⁵ Could it be a contract between players who ignore the rules of the game?³⁶ Really, Fatma has no time for all this. She struggles just to survive the day.

Am I starting to over-romanticise Fatma with all these theoretical auditions? If so, why not try the anthropological legacy of anti-colonial peasant resistance studies, where resistance is an explosion in the coloniser's face?³⁷ Most Palestinians before the Nakba catastrophe were peasants. But even before 1948, 'Akka was an ordinary town. So there's no peasant resistance. Is she performing the implosive Fanonian black-skin-white-mask hybrid resistance instead?³⁸

Does Fatma ‘keep on moving’ as Gilroy would have it?³⁹ Do her ‘diasporic circuits’ make her Amiri Baraka’s ‘changing same’?⁴⁰ What is Fatma’s ‘same’? Is Fatma ‘an expression of culture... at its most unselfconscious,’ as Baraka describes it?⁴¹ Is that one self the historical collectivity of pre-partition Palestine, the map countless diaspora Palestinians wear as neck pendants? Is that ‘one self’ ‘the same’? Is ‘the changing’ her family’s nonlinear system of multiple diasporisities? Does her radical act of staying put have ‘dynamic potency’?⁴²

How could it be that I have run out of theoretical costumes for Fatma? Theory must have models Fatma could fit into. But back in 1992 – just before cultural studies turned into an empire itself – I was getting suspicious of such theories even as I practised them. To feel better about what I then thought was my sense of belonging to radical academe, I ticked off a chart for what was ‘out’ and what was the new ‘in’ (see Table 1).

Table 1: *The ‘out’ and the new ‘in’ in 1992*

Out	In
Area Studies	Ethnic Studies/Cultural Studies
Latin American Studies	Chicano/a Studies
African Studies	African-American Studies
Southeast Asian Studies	Asian-American Studies
SOAS ^a	Black British Studies
Études Maghrébines ^b	Francophone Studies
The Cold War	The 1960s
The Reagan Era	The multicultural 1990s
Objectified, neutral representation (white by default)	Politicised, gendered/racialised positions postcolonial studies
Self and Other	Multiple-subject positions (governments have never heard of this)
Invisible whiteness studying homogenised, coloured alterities (though ‘white’ here is not a phenotype but a subject position acquired at an elite university)	A Chicana studying Chicanas or a queer studying queers (their departments are in the elite university – but what if they are among the ‘browned-skinned gringos’?) ^c

- a. SOAS stands for the venerable School of Oriental and African Studies in London, which dates back to the times of high colonialism.
- b. *Études Maghrébines* is the periodical in which anthropologists, and other scholars in the humanities and social sciences, writing in French published their studies of North Africa.

- c. See Gómez-Peña (1996:8).
But then it got unruly. Middle East studies; Arab-American studies?⁴³ This concept didn't exist until 9/11. Jewish studies – that's European Judaism. So Sephardic studies; Arab-Jewish studies? No-o-o, that's folklore. And now, in 2010, I ask, what about Israel studies? The discipline that appeared overnight on campuses all over the United States after the al-Aqsa intifada in 2000. Is Israel studies a subset of area studies? Or part of non-US-European ethnic studies? In any case, its carefully vetted faculty are often Ashkenazi Zionists.

As I was thinking through all the 'theoretical alternatives', I had a 'Eureka!' moment: What if the study of culture itself was another 'changing same'⁴⁴ used to decolonise the humanities and social sciences?

But the colonialist infrastructure of the study of culture has persisted underground, even though the pyrotechnics of sophisticated theoretical jargon makes it hard to see. The data kept coming from neo-and postcolonial situations, whether in the third world or in 'third worlded' western metropolises,⁴⁵ and although much of the manual labour was outsourced, most of the theory has been articulated in western metropolitan universities and then exported back to the third world.

The ominous hyphens: Palestinian-Israeli and Arab-Jew

In 1981, the Chicana lesbian feminist Gloria Anzaldúa published *Borderlands/La Frontera*. Determined to textualise the north's historical dominance over dark women, she articulated, from the ground up and the inside out, her thinking about her life far outside the 'northern conventions of research, writing and thinking about the world'.⁴⁶ Nevertheless, in less than a decade, her book gained canonical dominance in the halls of academe. As I was reading it in 1990, I was researching the Israeli-Arab borderlands and thinking about the liberating possibilities of south-south coalitions of knowledge and activism between Mizrahim and Palestinians.

Back in 1992, Fatma and I were located on different levels of the hierarchy of oppression. As a University of California professor, I was obviously far more privileged than she, although I was too embarrassed to let her know that even as I spoke with her, I too was a battered woman. I was still married to my abuser and lived in denial. But anyway, how could a US university anthropologist ask for shelter from the third-world informant she is supposed to atavise?

Yet, even then, we shared the borderlands in our part of the world, Fatma as a Palestinian-Israeli and I as a Mizrahi. Only after I became a welfare mother in 2001 did I really understand the potential of Anzaldúa's

borderlands concept to embody the hyphen. In February 1999, my nine-year-old son was transferred to the sole custody of his father. If I had not fled with him to my family in Israel, he would have managed to do away with himself.⁴⁷ The support system of my extended family had been shattered long ago when the welfare authorities of the Zionist state forced Mizrahim to have compact nuclear families like the Ashkenazim – without the intergenerational wealth to sustain them. Because I refused to limit my academic freedom to Zionist-‘post’-Zionist confines, I was barred from gainful employment in Israel’s universities. And for almost eight years Israel legally barred me from leaving the country for work elsewhere, where my colour and politics do not matter. I was all alone and became entangled in the thicket of Israel’s phantasmagorical, relentlessly abrasive welfare bureaucracy.⁴⁸ I endured chronic stress from the endless round of desperate encounters with lower-level Mizrahi bureaucrats subservient to the Ashkenazim who hired them. With the skyscrapers of the ‘White City’ of modern Tel Aviv in the background, I became just another mother in the welfare lines of the ‘Black City’ of South Tel Aviv.⁴⁹

I met other Jewish mothers – not just Mizrahim like myself, but post-Soviet immigrants from the Asian parts of the former USSR as well. I also met the Fatmas of Jaffa, annexed as the Palestinian part of South Tel Aviv. This time the Fatmas and I were in the same line. I wondered: have I become another Fatma, so elusive to theory? After their production-line jobs were outsourced to Jordan, Egypt or South Africa, both the Mizrahi and the Palestinian-Israeli women stood together – no bickering, droopy and sweaty, in the long food line of Operation Open Heart. From the far-flung ghettos they would travel every Thursday to the stuffy basement of a parking lot in the doleful outskirts of industrial zones of major Israeli cities just to feed their families with donated leftover food. I didn’t give a damn then about different language games or the liberation of Palestine – I just wanted food for Shabbat. As I interacted with them, every once in a while the original Fatma would flicker in my mind. But it was way more important to me to make sure my electricity was back on after I scurried around to find money to pay the bill – we used only candlelight until then. Or to find money to get the water running again in my place – when we couldn’t pay, we had to haul buckets of water from the neighbour’s apartment. When she was broke, we reciprocated.

In time, the mothers in the welfare lines became friendly with each other. We shared the sudden panic at a knock on the door that might be the police or welfare detectives conducting an unauthorised search, or

welfare officers of the family court coming at dawn to remove children to the regime's forced boarding school system for their own good, because the family had failed to make ends meet and was therefore unfit to parent.⁵⁰ Weaker after each round with the labyrinthine bureaucracy, many just gave up, knowing it was hopeless to try to claim whatever supposed rights the law gives them. It took me three years gradually to realise that, with these women, I was living the south-south sisterhood, although it had been forced on us. While in the lines, the Mizrahi women – who said good Arabs are dead Arabs – nevertheless developed situational friendships with the Palestinian-Israeli women, who for their part continued to refer to the Mizrahi woman simply as Yahud (Jewish), indicating they did not distinguish between Ashkenazi and Mizrahi Jews.

Meanwhile, the al-Aqsa intifada raged. The random curfews, house searches, arrests and random openings and closings at hundreds of checkpoints resulted in lost work opportunities, lost medical appointments, lost family ties, lost civic life, lost claims to houses that had been demolished, lost fetuses. Finally, the apartheid wall.

Why is it that south-south coalitions, as potent as they can be, cannot travel beyond discourse, so that the Mizrahi and Palestinian majority population implodes Ashkenazi Zionism from within the State of Israel? Is it because the spectacularly successful Ur-Design has a stranglehold on the situation? It sure does keep the two subaltern populations hostile and prejudiced toward each other.

Although transnational hyphens connote fluidity and movement across boundaries, Fatma's and my borderland hyphens allowed us radically to stay put. But neither western academe nor government, each with its own linear discourse, would permit Fatma or myself to use our hyphens. I cannot be a Mizrahi, an existence entailing being, a hyphenated Arab-Jew.⁵¹ Fatma cannot be a Palestinian-Israeli. To the Israeli regime, Fatma is an Arab. Period. She cannot be a Palestinian because that would force Israel to recognise the ruins of Palestine underneath it. I am a Jew with rights in the Zionist Jewish State. For the progressive academic community in the West I am the dominating Israeli while she is the oppressed Palestinian.

Amidst the angry pleading and yelling in the food line around me, my mind wandered back to academic habits in a dissociated state of escape. I fantasised that if I ever got out of this line and back into academe, I would write it all up. What theories could I use so that I myself would get quoted? Even the theories of embodiment seemed to misrepresent somatic

reality. They could not withstand actual experiences – the deepest cuts to the bones. The closest I could get was Gloria Anzaldúa, whose somatism seemed beyond theory because she was writing from her open wound.⁵² In 1992, when I read *Borderlands* to keep up with scholarly trends, I understood her only on the level of mimetic representation, but it was a perfect fit for my data and perhaps even for the problem of Fatma. Now I felt it, in my own non-mimetic hunger and humiliation. I went up north to visit Fatma in 2001. Her daughter told me that in 1994, after one of her sons died from a heroin overdose, she had died of a broken heart.

Anzaldúa's ghost

Sunday 16 May 2004, the news arrived in an email from Norma Alarcon:

Dear All

With great sorrow I pass on the news of Gloria Anzaldúa's death... Her family is taking her back home to Texas. She was finishing a book for Routledge. She is a great loss to us. A woman of great spirit – the chicanita from Texas, as she said of herself.

My hands froze on the laptop. It could have been me. Every morning I woke up alive, I was surprised. Sometimes, at the end of the day, I would try to make some progress on my scholarship. I was amazed I could possibly manage. It was getting late. I was hallucinating conversations between whatever was left of my 'facultad' – the agency entailed in 'the capacity to see in surface phenomena the meaning of deeper realities, to see the deep structure below the surface' – and Anzaldúa's 'shadow beast' – the woman of colour's power to struggle against the 'intimate terrorist'⁵³ that causes her to convert her conscious agency into a docile one, to transform her fearless creativity into compliance.⁵⁴ The woman of colour's shadow beast fights off her intimate terrorist's demand that she become a nonentity,⁵⁵ both from without, as required by the patriarchy of late capitalism,⁵⁶ and from within, when she accepts and internalises the intimate terrorist's definition of her. And now she is gone.

One Thursday morning in the summer of 2005, near fainting from car exhaust fumes, I was number 378 in the hot and stuffy food line of Operation Open Heart's basement. And then, above the crowd, Gloria Anzaldúa's ghostly face came into view, wavering within the blurry black, turquoise and red cover of her book.

Gloria: A border culture – where the third world grates against the first and bleeds and before the scab forms it hemorrhages again, until the lifeblood of two worlds has merged into a third country – a shock country, a closed country, a warzone... my home.⁵⁷

Smadar: Gloria, I almost know it by heart, I've taught it so much. In all the welfare lines, the Palestinian-Israelis and the Mizrahim grate against that Ur-Design, and bleed. But the Ur-Design is so sophisticated. No specific laws, but caught in the relentless bureaucracy; everyone knows their place. Palestinian women see their children's blood spilled. Mizrahi women are the sleepwalking wounded, entranced by the drumbeat of the miraculous ingathering of the diasporas. Their wounds – so deep. Invisible blood. Aren't all these welfare lines just our joint third country? Or maybe Fatma's 'Akka is. Or this Thursday line is, until we split up and go back to our segregated ghettos and neighbourhoods.

Gloria: We hurt. We don't know why. We ask – what is wrong with us? But then our defense strategy kicks in. We all hate ourselves, and act from it without even knowing why. We terrorize ourselves and each other.⁵⁸

Smadar: We hurt too. Some Palestinian-Israeli women know why they hurt. Nakba memories. Israel dispossessing land, water, inter-generational continuity. How shocking to find younger women in the line or in my classes had heard the word 'Nakba' but their parents said they didn't want them to know much about it. Didn't want them to get politicised and in trouble. How can one have facultad without knowing one's history? In the lines, some Palestinian women curse the Jewish state in Arabic, in hisses. They don't dare shout. Others share Nakba stories in Arabic with those who are not allowed to know. Then they argue: is it OK to blame everything on the Nakba? Or is it their own feeble character? Themselves, their ex-husbands, brothers, the whole community... The Mizrahi women curse the state in Hebrew, and loud. Unaware of how the Ur-Design wounded them. The Palestinians at least blame the patriarchy. The Mizrahim blame their own selves. For not staying in school. Not being able to lose their Arabic accent. For their Mediterranean thick thighs. And no cash for the new skin-bleaching ointment at the pharmacy...

Gloria: Facultad – we don't fully engage our agency... what we need to do is gather our strength and fight for control.⁵⁹

Smadar: We are stuck and blocked. Mizrahi and Palestinian women terrorise each other. Lives within the welfare system micro-managed by lower-level Mizrahi bureaucrats. If Palestinians demonstrate, the police club or shoot to kill. Their men's Mizrahi blue-collar bosses – so stingy, having started with very little themselves. The Mizrahi women – no one in the line to teach them their history. How can they realise that without the Nakba they would not have been drawn in from their non-Yiddish speaking homelands to become the Mizrahi diaspora in the Ashkenazi 'villa in the jungle'?⁶⁰

Gloria: The Chicana. 'Alien' to the dominant culture. Alienated from her mother culture. Feels unsafe. Within herself. One world imposed on her, the other she once called home. Floating in interstices. Petrified.⁶¹

Smadar: This is the Mizrahi situation. Palestinians – hyphenated exiles in the State of Israel, dispossessed from their land and culture but not alienated from the mother tongue. If you haven't lost your Arabic literacy, with a click of the mouse a whole cultural world across the mine-fields and barbed wire opens up. For Mizrahim – it was cultural genocide. Suddenly 1948 – Israel erects war walls against their homelands. Mother tongue cut off.⁶² No Arab culture within reach of the mouse.⁶³ Once I used to write about interstices. In this line, I'm petrified.

Gloria: A no-man's borderland. Resist by feeding our families, or get caught and be deported as criminals. Illegal refugees. Some of the most exploited people in the USA, Texas to Oregon, were in Mexico – and the Anglos call us 'the silent invasion'.⁶⁴

Smadar: In 1948, Palestinians were expelled from their villages and Mizrahim forced to settle on their land. The Mizrahi neighbourhoods – no-man's land until they become real-estate bonanzas. Then our communities expelled. Houses bulldozed. Shim'on Yehoshu'a resisted and shot dead.⁶⁵ High-rises built. Ashkenazim move in. In prisons – Mizrahim and Palestinians. Resistance? Heck, no – docility is the name of the game. Facultad. Hoping for better housing, better jobs, better futures for our children. Nada. No way out. Destroy who you are to imitate them? Ha! With only 500 dollars a month but paying 700-dollar rents, so that your kids can be closer to the better Ashkenazi school districts?

When Palestinian-Israelis resist, they are jailed, expelled or shot dead. Unless they speak the politics of the Zionist masters. For Mizrahim, jail. Or stop-exit orders served to them by the collection court, to

keep them in the country. Mizrahi who resist can't leak out. Criminalising their political act. Return? The Palestinian right of return? It's their worst nightmare. Mizrahi return?⁶⁶ Where to? The dilapidated economies of the so-called enemy? And now that we outnumber them, even with the European Russians, they eulogise the levantinisation of their colonialist space, even as they appropriate our Levant in their postcolonial academic conferences.

Gloria: The individual exists first as kin. Last as her self. Family, community, and tribe come first... The dark skinned woman has been crippled – silenced, gagged, caged, bound into servitude by marriage to macho men and the family.⁶⁷

Smadar: Gloria, this too I remember by heart. You are crisp and clear. But it's so hot I'm woozy. I'm hearing mirages.

Gloria: Shut up. I carry this home thing in my body. But going back home scares me. I'll defend my race and culture, but I abhor some of our ways.⁶⁸ Yet by stroking the inner flame, in my ample mestiza heart, I have survived for 300 years. I am a working-class Catholic Chicana Texan. I am the Santa Cruz dyke. I do feminism in Spanglish.

Smadar: In this line, just by being here we collapse the hyphen between Arab and Jew, Mizrahi and Palestinian. The patriarchal bargain⁶⁹ just didn't work. Marriage – your only way out of your parents' home. For Palestinians – all arranged. For Mizrahi – marrying in your race and class. Or up, for a few.⁷⁰ Then your Ashkenazi mother-in-law pays the hotshot lawyer to make sure you get no child support. The patriarchal bargain – he gets beauty, sex, pregnancies, sons. Cooking every day from scratch because your mother-in-law wants it fresh. Laundry. Dishes. And you get a roof over your head. Sons you hope will provide for you someday. His main-wage-earner salary. But this is not enough. Debt piles up because of the discrepancy between his income and the housing costs. Your part-time job is not enough to fill the gap. You have to stitch together more income from other part-time menial jobs. And still be beautiful and available, not to mention cook and feed the whole extended family on Friday – because what would they say if you didn't? For your own survival you become a cyborg – that dissociated animal-machine.⁷¹ He loses his job. Oslo Peace economics. Blonde post-Soviet women bought and sold in the sex district, Southside Tel Aviv. He leaves. They blame you for his departure. Your children's home is the comfort of your body. No home for your self in your body. If Palestinian, you go home to your parents. Once again

under the control of your father and brothers. The shari'ah gives your husband your sons.⁷² Unless you are Fatma, and your shadow beast tells you to live on your own with your kids and be shelter to others. No virginity. Slim chance to remarry. If Mizrahi – how can you go back to your parents? That crowded apartment in the cinderblock projects? They won't let you in anyway, so that you are forced to go find some other man to take care of you. You can't provide for yourself in an economy that punishes you for being a mother. Yet the state's pro-natal policy, part of that Ur-Design, expected you to produce more Jews to be soldier-citizens.⁷³ There is no going home to your self. These stories – again and again. It is so hard to keep my inner flame alive. No home but the line... friendship there...

Gloria: Only a few of us can become self-autonomous – through education and career.⁷⁴

Smadar: Wishful thinking for us, Gloria. Among Israeli tenured professors, five per cent are Mizrahi men, one per cent are Mizrahi women, under one per cent are Palestinian men, and none are Palestinian women. So much for the majority. Most in the applied hard sciences, so if things don't go well at the country club, they can get a real job without starting over. We who study ourselves – artists, scholars of culture – locked doors if we refuse to sell out. Education helps a few accountants, lawyers, dentists, engineers – as long as they know their place. All fledgling, although terrorising each other oh so well. My mestisaje – a Mizrahi feminist with an Ashkenazi father, a PhD from Berkeley, professor in the lethal welfare lines. An anti-Zionist, but still a practicing Jew, thus part of the flow in my right-wing Mizrahi neighbourhood.

Gloria: The Global South. One big borderland in constant transition... Our people. Transgressors. Aliens. Chicanos. Indians. Blacks... The White elite wants us – people of the South – behind separate tribal walls. To pick us off one by one. To keep us prejudiced against each other. Stunned and apart... We speak an orphan tongue. We speak with tongues of fire.⁷⁵

Smadar: Southside Tel Aviv. Borderlands. Dangerous. The National Security Bureau – a sleek high-rise. Number 870, a single mom, finally cracks, shrieking curses at the state in Moroccan Arabic – a tongue of fire. A Mizrahi woman bureaucrat jabs the buzzer. A big blond Russian guard clubs the mother. She falls face down, gloms onto the floor. Stays put. She can't afford to lose her place in the line.

He snaps the cuffs on her wrists above her head, grabs the chains between her hands, and drags her away, screaming in her orphan tongue. Each of us is suddenly inside her own wall. Petrified. Each thinking – it could have been me. There are no transitions here. The line keeps moving. We're all stuck.⁷⁶

Gloria: So what's left? Collective wailing rites. Women's feeble protest. If no other resource.⁷⁷

Smadar: Whenever a Mizrahi woman stands tall and eloquently calls for restitution for Zionist crimes against the Mizrahim, and equitable treatment now, the Ur-Design trivializes it as wailing. *Le-hitbakyen*. That's the Hebrew. *Mitbakhyenet*. Crybaby discrimination queen.⁷⁸

The Ur-Design: the wall and the maw

In addition to the many walls erected within Israel to block Mizrahim and the Palestinian citizens of Israel from housing and education, let alone coalitions, Israel has nearly completed a massive apartheid wall demarcating the border it has claimed for itself on the lands of Palestine. The Euro-centre craves borders because they invite its civilising mission of taming them by absorbing them into its maw⁷⁹ and transforming them into frontiers. Most of the workers building the wall are Palestinians or Mizrahim.⁸⁰ Around the wall, Israel operates a vicious border machine, with patrols, electric fences, roadblocks, and further land confiscations. The borderland between pre-1967 Israel and early twenty-first century Palestine, behind the Israeli apartheid walls of the West Bank and Gaza, is destined to become the maquiladora of the Middle East. For the Fatmas, and also for working-class Mizrahi women, the border is becoming a prison house. Out of every dollar the West has invested in the Palestinian Authority economy, thirty-five cents have ended up in the coffers of Israeli industrial conglomerates.⁸¹ The political economy of the US-designed New Middle East will be assembled by the nimble fingers of these women, who have no choice but to do whatever they can to make a living. Their unatavised regional specificity is not compromised by their transnational labour. And the worse their economic situation gets, the more they are drawn to orthodox or fundamentalist religion.

The quilt as time bomb

In February 2005, I got an email from a researcher working for the Committee on the Status of Women at the Knesset. He asked if I knew of old

Mizrahi and Palestinian-Israeli women activists who had died and had not made it into Israel's official Ashkenazi history and schoolbooks. The Committee's plan for its 2005 International Women's Day session was to display photographs of these women, among photographs of hegemonic Ashkenazi-Zionist women, as a quilt hung on a Knesset wall, along with a catalogue of short biographies. I called the researcher and found that he sought the 'indigenous informant' to atavise into a visual text, to create an artificial coevalness between the charismatic women from skid row and those of the Ashkenazi-Zionist elite. I suggested that he hang my granny's and Fatma's photographs on the wall, pending the permissions of their families.

The Knesset exhibit was meant to transmute 'race' to 'poverty', so that the Knesset's racinated ideology and practice in the formation and maintenance of the Ur-Design of an apartheid nation-state remained invisible. In Fatma's entry in the exhibit's catalogue, the fact that she was Palestinian, let alone an Arab, was conspicuously absent. In this project, the committee actually meant to enact its outback-colonialist anthropology in Israel's border sites.

Yet, by being very enthusiastic about participating in the exhibit, Fatma's family – and the families of the other Palestinian-Israeli and Mizrahi women in the collage – displayed the common phantasmagorical aspiration of Israel's racinated populations to live and work in Israeli power centres. Depoliticised as the exhibit catalogue was, I could still find traces of Mizrahi and Palestinian historical specificity as I read it against the Zionist grain: the Arabic last names, the women's dark complexions, their modestly kerchiefed heads. These features inadvertently 'third-worlded' the Israeli Ashkenazi-Zionist centre simply by being displayed within it. Gloria Anzaldúa taught me that the border is an 'open wound'. But none of the border's south-south coalition members – Mizrahim or Palestinian – want to be in this 'third country' emerging out of their painful dispossession of lands, languages and cultures. Its imagistic ambiguity is not liberating but, rather, is used by the Zionist hegemony as in the case of the exhibit or Operation Open Heart's food lines. And despite all this, the border's imagistic ambiguity invites the projections and misreadings that enable Fatma's experiences in the borderlands to be displayed in Israel's Ashkenazi-Zionist power centres. Fatma, and even I, are thus able to leave landmines dormant all over Israel. Perhaps, one day, the gender-race-nation fissures in the Zionist narrative will no longer be containable. They

will blow up when the south-south coalition is among Arab feminists – Muslim, Christian and Jewish – a coalition of hope reabsorbing Mizrahi into the area in which they have become exiles from within and without.

The main speaker at the Knesset's 2005 International Woman's Day celebration was Major General Moshe Boogie Ye'elon, Israel's Army chief of staff. He praised the contribution of women to the Israeli military. So much for the borderisation of the Knesset by Fatma, my granny or myself. Here came the colonialist frontiersman striding up to the podium, even as Fatma's traditionally garbed sons and daughters in the audience tried to muffle their hisses. Giant images of Fatma and other Palestinian-Israeli and Mizrahi women grinned from the wall. The general, seated as he was, had to look right at them. Right on, Fatma: 'These days, the most radical act is to stay put.'

Each theory has its own flash of life. First unthinkability. Then exciting praise for its new set – or provocative net – of abstractions that sound like floating signifiers without much data. Then its long process of becoming obsolete. Nowadays, in the United States, borderzone theory is out – 9/11 cut the border festivities of theoreticians, artists, etc. We are now all doing Islam, rights, NGOs and sovereignty. The rest of the world is soon to follow, given US-European theoretical hegemony of the humanities and the social sciences. But if not even Gloria Anzaldúa's borderzone can manage to contain Fatma, the veiled feminist on the Knesset wall, who can guarantee that the new theories of Islamist feminism can do better? And what is left for me, as an ethnographer?

Forever the anthropologist, I photographed the event and scribbled notes.

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ed to Suad Joseph, who in 1993 shared a conversation she had with poet Jerry Snyder about the art of staying put in postmodernist times. Without it, I would not have written my 1994 paper. Norma Alarcon introduced me to Gloria Anzaldúa's centrality to my own research and commented on many of this article's drafts. My thanks also to Haim Hazan and Esther Hertzog, who made me translate into scholarlese the bridges between Chicana and Mizrahi feminist activism. Ilise Ben-Shoushan Cohen and the participants of the departmental seminar of the California Institute for Integral Studies challenged me to further revise the piece. Ilise's hospitality helped shape this chapter into its final form. Jim and Penny Bowen shared their home as I wrote up the critique of my own 1990s' work. Jim's encyclopaedic knowledge, the 'Palestine: Information with Provenance' data bank and Skype chats were invaluable to the referencing process. My deepest gratitude to my Mzeini family in Dahab for their support and understanding as I revised, groping for calmer words to write up the demons of my recent 'Israeli' past.

Notes

1. This chapter was first published as an article in *Anthropology and Humanism* 36 (1): 101–121 and is reprinted here with their kind permission and with some minor stylistic changes. The article won the American Studies Association's 2009 Gloria E Anzaldúa Award for Independent Scholars.
2. The names of activists mentioned in the chapter have been changed.
3. Anzaldúa (1987: 2–3).
4. Nagar (2002, 2003); Nagar and Raju (2003); Nagar and Sheppard (2004); see also Ebron and Tsing (1995).
5. See Yuval-Davis and Anthias (1992) and Yuval-Davis (1997).
6. Donnan (2005: 98) calls these somatic borderzone experiences 'the materiality of place'. His research on Northern Ireland's border Protestants as majoritarian communities is critical of deconstructionist, 'post'-colonial theories of diasporas, borders and migrations. I find the parallels between Mizrahi and Northern Ireland's border Protestants striking. One can compare the history of the Mizrahi-Palestinian rift to the history of working-class Protestants and Catholics in Northern Ireland. Perhaps Donnan's earlier research in the Arab and Muslim worlds informed his fresh insights on the Northern Ireland border. An interesting comparison between Mizrahi and working-class Irish Protestants is offered by Ben-Porat (2006).

7. See Donnan (2005).
8. Donnan (2005: 70).
9. Julie Peteet's landmark 'Problematizing a Palestinian Diaspora' (2007) provides a review of diaspora theories, the reasons for their becoming an academic fashion and the possibility for their critical engagement with the Nakba and the Palestinian displacement. See also Donnan (2005) and Nagar (2002).
10. Colvin (2004); see also Das et al. (2001); Desjarlais (2000); Ross (2003); Scheper-Hughes (2004).
11. Torstrick (2000) offers the most comprehensive ethnography of 'Akka and a ground-breaking analysis of Mizrahi-Palestinian relations in the State of Israel.
12. Fabian (1983: 34).
13. The Nakba was the 1948 Ashkenazi-Zionist expulsion of almost all the Palestinian population of Palestine because of the founding of the State of Israel.
14. See Torstrick (2000).
15. Through careful analysis of Israeli census figures, Ducker (2006) exposes the myth that the former Soviet Union immigrants to Israel increased the number of Ashkenazi Jews. She shows that even though the main purpose of Israel's leaders in initiating this mass migration was to increase the number of European Jews in Israel, they failed to take into account the Central Asian Jews of non-Yiddish speaking origins in the former Soviet republics.
16. Alcalay (1993); Chetrit (2004); Donnan (2005); Shohat (1988).
17. Abdo and Lentin (2002); Hajjar (2005); Halper (2008); Keshet (2006); see also Sabbagh (1998).
18. Shubeli (2006).
19. See Alcalay (1993) and Penslar (2004). Aside from accent discrimination, Mizrahim are often discriminated against for their darker skin colours and last names – unless they Hebrewise them, that is; see also Ronen and Nevo (2000) and *Yedi'ot Aharonot* (2002).
20. Bichler and Nitzan (2001); Hasson (2006); Katz (1997).
21. I do not have the exact number of Palestinian-Israeli civil-society NGOs in 1992. I was sent to Kamla's NGO because it was one of the first. Yet in 2002, fifty-six NGOs were registered with Ittijah, the union of Arab community-based organisations in Israel.

22. Lavie et al. (1993); Rosaldo (1989).
23. Liberman (2008).
24. See Peteet (2007).
25. Clifford (1983).
26. Deleuze and Guattari (1986).
27. Mohanty (1991).
28. Alarcon (1990: 250).
29. Alarcon (1990).
30. See Peteet (2007).
31. Clifford (1997).
32. See Gilligan (1982) and Lughod (1993).
33. Lyotard (1984).
34. Menchu (1984).
35. Palestine's late national poet laureate, Mahmoud Darwish, contemplated this idea in his epic *Mural* (2006), written about his near-death experience.
36. See Lyotard (1979: 10).
37. See for example, Kearney (1996); Rosenfeld (1964); Scott (1985); and Wolf (1970).
38. Fanon (1967); see also Sandoval (2000: 83–86).
39. Gilroy (1993a: 16; 1993b: 120–145).
40. Gilroy (1993b: 86), Jones (1968: 180–211).
41. Jones (Baraka) (1968).
42. Gilroy (1996: 23).
43. When I wrote this field note, Arab-American Studies was not an academic field of inquiry. How ironic it is to note that the field of Arab-American studies solidified after the 9/11 events.
44. Jones (1968).
45. See Ribeiro and Escobar (2006) and World Anthropologies Network Collective (2005).
46. Gledhill (2005); see also Ribeiro and Escobar (2006) and World Anthropologies Network Collective (2005).
47. With major depression around the divorce, my son had started falling apart in 1995. The Israeli courts strictly observe the Hague Convention on the

Civil Aspects of International Child Abduction, even disregarding the allowable exceptions in it that specify the rare conditions allowing the abducted child to stay in the country where he or she has been brought up. The return rate of children abducted to Israel from the United States is much higher than in other countries who are signatories to the convention. See Bruch (1988–89, 2000a, 2000b, 2003); Schuz (2004). When our trial began, we had to submit both our Israeli and US passports to the court. International law recommends that a child abduction trial at all levels of courts should last no longer than one year, to provide a swift remedy in the best interests of the child (Schuz 2002, 2004). But, in our case, it took two years to decide, because the court chose to ignore the evidence we presented. In a precedent-setting 2001 decision, the Israeli Supreme Court cleared me of any child abduction charges (Israel's Supreme Court Verdict 5253/00; see Schuz 2008). Because of the delay, I was not able to honour the terms of my University of California job, so I resigned. Recognising the Israeli court decision, the US state department instructed me to go to the Tel Aviv US consulate and get a new valid US passport. I did so, but it was too late – I had already resigned and, in any case, as an Israeli citizen I had to have my Israeli passport to leave or enter Israel. Under international custody law, after a minor lives in a country for two years, the domicile of the minor changes to that country (Schuz 2001, 2004). Now that we had been living in Israel for two years and the Hague matter was behind us, I should have been granted automatic custody so that I could be the legal parent of my child. So, to get my Israeli passport back, I now had to ask the Israeli family court for Israeli custody of my son. For almost six more years, the Tel Aviv family court refused to make a decision to grant the custody orders, so that I would have been able to appeal (Bruch 2003). I was stuck.

48. See Hertzog (1996). Anthropologist and feminist activist Esther Hertzog has dedicated her life to exposing the atrocities committed by Israel's welfare authorities against women, mothers and children and has assisted hundreds of women entrapped in the lethal thicket of Israel's welfare bureaucracy. She has published many op-ed public anthropology columns in Israel's high-circulation dailies on Israel's surreal welfare authorities. And in her role as the convener of Israel's Women's Parliament, she has organised several sessions on the topic.
49. An eloquent analysis of the division of Tel Aviv into a 'White City' and a 'Black City' is provided in Rotbard (2005).
50. See Gilat (2006).

51. Most Israeli Mizrahim vehemently reject the identity descriptor 'Arab-Jews', designated for them by diasporic anti-Zionist Mizrahi intellectuals. Historically, factually and demographically, however, most Mizrahim in Israel originate from the Arab world. By calling myself an 'Arab-Jew' I am using my exilic intellectual privilege.
52. See Alexander (2005: 285–286).
53. Anzaldúa (1987: 60, 20).
54. See Mahmood (2005: 15, 29).
55. Alarcon (1996: 44).
56. See Saldivar (1991: 83).
57. As I was writing this part of the paper in summer 2008, I went back to Anzaldúa's book and found the relevant pages in the book that correspond to my hallucinations of Anzaldúa in summer 2005 (1987: 2, 3, 11).
58. Anzaldúa (1987: 45).
59. Anzaldúa (1987: 21).
60. Israel's former chief of staff and defence minister Ehud Barak defined Israel as a European villa in the Arab jungle (see, for example, Avnery 2011). This definition corresponds exactly with the vision Theodor Herzl, the progenitor of modern Zionism, had for the Jewish state (Herzl 1945).
61. Anzaldúa (1987: 20).
62. Abarjel and Lavie (2009); Alcalay (1993: 220–227); Lavie (1992).
63. See Donnan (2005: 70).
64. Anzaldúa (1987: 10, 12).
65. Shim'on Yehoshu'a was a Mizrahi young man who tried to stop bulldozers with his body as they destroyed his home. He was killed in 1982 atop his roof in Kfar Shalem by a police officer who shot him at close range. At the time of writing, the incident had yet to be investigated. See <http://cosmos.ucc.ie/cs1064/jabowen/IPSC/php/authors.php?auid=17857>.
66. See Abarjel and Lavie (2009).
67. Anzaldúa (1987: 18, 22).
68. Anzaldúa (1987: 22).
69. Kandiyoti (1988).
70. In her doctoral dissertation, Rina Shahar (1988) dispels the Ashkenazi-Mizrahi intermarriage myth of inter-ethnic integration. She demonstrates the increase in intra-ethnic marriages and the preference of all Jewish ethnic groups to marry Ashkenazim. See also Blumenfeld (1997).

71. Haraway (1985).
72. Shari'ah is Islamic religious law. For Jews, Muslims and Christian citizens of Israel, the right to divorce is still determined by religious law.
73. See Kanaaneh (2002).
74. Anzaldúa (1987:17).
75. Anzaldúa (1987: 31, 3, 86, 58).
76. See Donnan (2005:74–75, 96).
77. Anzaldúa (1987:33).
78. Although the Ashkenazi regime prohibits the Mizrahim from lamenting their past in the Arab and Muslim world, it is Ashkenazi left activists and scholars who translate Palestinian laments into hard EU and US cash donations for its industry of peace NGOs (Lavie 2010, 2011; Shubeli 2006).
79. Anzaldúa (1987:11); see also Lavie and Swedenburg (1996).
80. Bitton (2004).
81. Beinín (1999); Berger (1996); see also Bichler and Nitzan (2001); Warszawski et al. (1997).

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PART THREE:

COMPARATIVE ETHNIC NATIONALISMS



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Chapter Eight

The unresolved national question in South Africa

Neville Alexander

Partly because of the racist and xenophobic incidents that became prominent in South Africa in 2008, discussions about whether or not there are any South Africans¹ have brought two issues very clearly to the surface. On the one hand, it is obvious that the fading notion of ‘the rainbow nation’ is an expression of the end of the euphoria and catharsis that accompanied the release of Nelson Mandela and the subsequent historic events in South Africa. Fewer and fewer people, more specifically in the middle classes to whom the notion was most appealing in the early 1990s, now believe that a sense of national unity and ‘social cohesion’ is attainable in the prevailing circumstances of extreme social inequality, high unemployment, predominantly and continuing ‘black’ poverty, widespread violent crime and social insecurity, the ravages of the HIV/AIDS pandemic, as well as the ever-present threat of xenophobia. In short, quality of life is rapidly deteriorating for all. At the time of writing, shortly after the Football World Cup spectacular in 2010, many ideologues and naïve propagandists for one interest group or another are hoping against hope that the policy of bread and circuses, which has become a major part of the economic growth strategy of the ruling party, will revive the sense of hope and of a genuinely creative and constructive future that characterised the early years of the Mandela administration. These will remain vain hopes unless fundamental changes are made in economic, social and even in cultural policy.

On the other hand, signs of an identity crisis among the middle classes are revealing a plurality of understandings of concepts such as national identity and the singular ineptitude of the country’s cultural and political leadership to indicate the possible trajectories of national development or the implicit and feasible alternatives that exist. Of course, these are not simple matters and it is much easier to see, after the event, why one choice rather than another was made. What is most significant in our democratic practice is the fact that we are discussing these very difficult matters openly and that we are not, or not yet, viewing our different approaches as antagonistic. This, rather than any jejune ideas of easy-come, easy-go

national unity captured in flags, motor car side-mirror socks and other patriotic paraphernalia, is what, for me, continues to make South Africa a land of good hope. A bird's eye view of our history will help us gain some perspective on this extremely slippery but fundamental matter.

Conquest, resistance and liberation

In South Africa, the period of primary resistance² can be said to stretch from that fateful day in the first week of February 1488, when the first Khoe herder threw the first stone at the Portuguese buccaneers commanded by Bartolomeu Dias in the Bahia dos Vaqueiros (near Mossel Bay), until more than four hundred years later when Chief Bambatha was killed in April 1906. However, beginning in April 1652, the specific modalities of the colonising process and of the penetration of capital led, over a period of some 250 years, to a contradictory and uneven process of resistance, accommodation and collaboration on the part of the indigenous people across the sub-continent. Thus, for example, by the end of the seventeenth century, the children of the first slaves and the conquered Khoe clans were well on their way to becoming subjects of the Dutch colony. Meanwhile, beyond the Hex River Mountains, virtually all of the indigenous people were still living in independent, if fragile, sovereign political entities. Many of them continued to do so until the second half of the nineteenth century when, as a result of the discovery of diamonds, gold and other minerals, they were rapidly subjugated and dispossessed. The patriarchal, racial-caste system of the pre-capitalist period provided the sociological materials from which the subsequent system of racial capitalism came to be fashioned.

If we take as given the 250 years over which the modern capitalist system evolved in southern Africa (by the time the Union of South Africa came into being in 1910), it suffices that we characterise the resultant social formation with broad brush strokes. The negotiated settlement between the British government and the defeated Boer generals created, or in some respects reinforced, the template upon which political dynamics over the next century would be shaped. In brief, the socio-political systems of segregation and of its successor, apartheid, were established in laws derived from the blueprint contained in the *Report of the South African Native Affairs Commission of 1903–1905*, which met under the chairmanship of Sir Godfrey Lagden.³ The most decisive recommendations of the Commission were the macro-apartheid scheme of territorial segregation by which blacks in the rural hinterland would be ghettoised in 'native reserves' (and subject

to control by hereditary and government-appointed chiefs with the power to allocate land) and in urban locations (the townships of today), ‘influx’ into which would be regulated by means of a system of pass laws. Political segregation was recommended along the lines that black people who fulfilled certain literacy and property requirements would be represented in parliament by white politicians.⁴ All of these recommendations formed the strategic matrix that generated the hundreds of segregation and apartheid laws for more than sixty years after 1911. These measures were notoriously justified in terms of social Darwinist and other forms of so-called ‘scientific’ racism, including Nazi ideologies.

Bluebeard’s castle and the shattered dream

The struggle for national liberation, that is, the political, cultural and organisational response of the oppressed majority to the strategies of the white supremacist administrations, had been shaped by the conviction on the part of the ‘mission elite’, and other incipient middle-class individuals among the oppressed groups in the course of more than a century, that the attainment of freedom and equality within the emerging system was not only necessary but also possible. In this regard, the hegemony of the Christian mission and of the politics of liberal philanthropy had become etched very deeply into the consciousness of the prospective leadership of the political movements of the oppressed. Elsewhere,⁵ I have described in detail how the caste consciousness of this leadership gave rise to the notion of four ‘national groups’, three of which (Africans, Coloureds and Indians) – in the words of the African National Congress Youth League in 1944 – were ‘oppressed’ and three of which (Whites, Coloureds and Indians) were ‘minorities’.⁶ Each leadership cadre struggled for the improvement of the status and prospects of ‘their’ community although, on occasion, they would form ‘alliances’ for joint action against particularly onerous measures. This happened, for instance, at the time when the South Africa Act was being discussed in London (1908 to 1909)⁷ and, much later, during the Defiance Campaign of 1952 and 1953.

The belief that British ‘fair play’ and liberal-democratic principles would eventually allow the oppressed to ‘go inside’⁸ was a tenacious delusion in the ranks of this middle-class leadership – one that can only be compared with the tragic allegory of Bartok’s operatic version of Bluebeard’s Castle, as narrated inimitably by Derek Bell,⁹ to explain the Sisyphean quest of the civil-rights activists in the United States. In retrospect, apologists for this

gradualist and pacifist strategy would argue that the cumulative effect and moral impact of their approach bore fruit, even if it did take the better part of a century. Such an assertion abstracts from important details, however, besides eliding the fact that the authors of the strategy clearly intended to get immediate relief from the oppressive measures in each case. In fact, it would be no exaggeration to maintain that in the South African case, until the beginning of the 1970s, the curve of attainment in human-rights terms was a downward sloping one. Previous 'achievements', such as the limited racial franchise of the 1910 Constitution and limited access to university education and apprenticeships for certain categories of 'non-Europeans', were systematically dismantled through the repeal of relevant legislation by the apartheid regime.

It is also a fact, and one which explains the set of dispositions referred to here, that, with episodic exceptions, the movement for national liberation accepted the international legality but not the legitimacy of the South African state. The key to synchronising these two spheres lay in the attainment of the franchise for all adult male (and later also female) South Africans. The territorial integrity of the South African state, as defined in 1910, was never questioned seriously by any tendency within the movement, although in the early 1930s the Communist Party of South Africa briefly floated the idea of a Federation of Independent Soviet Socialist Republics based on linguistic-ethnic criteria. If truth be told, it is doubtful whether even the collaborationist bantustan leaders of the 1970s and 1980s seriously believed in the gratuitous 'independence' that they had thrust upon themselves and 'their' peoples.

Non-collaboration and non-violence

Until 1960, when the Sharpeville massacre removed the blinkers from the eyes of the pro-democracy political leadership, non-violent approaches to the attainment of reforms (ranging from abject petitioning of the relevant authorities by respectful delegations of prominent black people to militant boycotts of racially defined institutions on the basis of non-collaboration with the oppressor) were the stock-in-trade of the national liberation movement. In spite of profound philosophical and strategic differences, a range of non-violent methods of struggle (that included street protests, passive resistance and defiance campaigns, strikes, boycotts, petitions, mass meetings, conferences, memoranda, etc.,) were tried in many different contexts and for many different purposes – some excessively op-

portunistic, others hopelessly rigid and self-defeating. But before 1960 there was seldom any serious talk about armed revolution or insurrection even though, on the left, there was much rhetoric about 'overthrowing the state'. Even those, such as many members of the Non-European Unity Movement who accused the leaders of the Congress Movement of being 'pacifist' and 'compromisist', believed that, at best, a general strike would one day lead to the implosion of the racist regime.

Political programmes

The fact is that, after 1949, with many detailed tactical exceptions, the strategic differences between and among the different tendencies in the liberation movement (African nationalist, socialist, communist and pan-Africanist) were hardly significant in practice; the overwhelming might of the apartheid state severely limited the strategic options available to the forces of liberation.

The ideological terrain on which the struggle for national liberation was conducted can be sketched briefly. In South Africa, as elsewhere, the Russian Revolution and, more markedly, the Cold War after 1945, left an enduring imprint on the ideological dynamics within the movement as a whole. The entire spectrum, from the liberal-democratic centre to the extreme socialist left, was represented in this political landscape.¹⁰ Although there were numerous variants within each of these political milieus, and the ever changing perceptions of the salience of 'race' complicates any analysis in terms of class position, it is possible and, at a certain level, permissible, to generalise.

Essentially, all these movements accepted the basic legacy of the 'rights of man' that had become an integral component of all political discourse in all the colonies of Europe, especially after 1945. However, the socialist left and the Communist Party of South Africa considered the demands for equality and liberty to be 'minimum demands' rather than the end of the struggle. Socio-economic rights were either never articulated in the numerous variants of the bourgeois democratic programme or they tended to be hobbled by explicit acceptance of the right to private property in the means of production. In other words, any redistributive trajectory was obstructed at the outset. Between the non-communist left and the Communist Party of South Africa (later the South African Communist Party) there was, generally speaking, a deep disagreement about whether the struggle for the attainment of the civil and political rights associated

with the 'minimum programme' implied a segmentation of the national liberation struggle into two stages. In the first stage the minimum programme would be realised and in the second stage the struggle for socialist democracy would be conducted in a relatively peaceful manner. For some tendencies within the non-communist left (in organisations such as the Non-European Unity Movement, for example), the right to the land was considered 'the alpha and omega' of the struggle. It was realised that the 'peasants', that is, the rural and migrant workers, would be unable to buy land on the morrow of the bourgeois democratic revolution, even though they would have attained the right to do so, and that the revolution would therefore remain 'incomplete'. This fact would serve as the pivot on which the bourgeois democratic revolution would 'grow over' into the socialist revolution.

Real historical developments have rendered much of these axial debates of the 1940s and 1950s irrelevant. However, besides the fact that this debate on 'the land question', among many others, demonstrates an acute awareness of the difference between substantive notions of democracy and mere procedural or minimalist understandings of the concept, they were clearly informed by the global divide between radical and liberal notions of social transformation.¹¹ More important, however, is the fact that in all these discussions there was invariably the assumption that democratic rule would necessarily be 'black majority' rule. Of course, the conservative tendencies took it for granted that this would be a secular process – the tempo of which would be dictated by the speed with which 'the white man' would jettison his racist beliefs and practices.

Thus, beginning with the seminal discussions about the Black Republic that took place in the Communist Party of South Africa towards the end of the 1920s,¹² it was assumed, as a matter of course, that (to use the earlier masculinist discourse) 'one man one vote' was the goal of the struggle. Group rights hardly featured as a point of discussion, except in the mid 1950s, around the time when the Freedom Charter was being debated in the Congress Movement (between 'Charterists' and 'Africanists'). Even the second clause of the Charter ('All national groups shall have equal rights') is generally interpreted to refer to the rights of individuals to live out their social and cultural preferences within the social category with which they identify. Besides the hegemony of the individualist liberal paradigm, the main reason for this way of seeing reality was undoubtedly the fear of playing into the hands of the apartheid strategists and ideologues. Indeed,

one of the major challenges facing the post-apartheid dispensation is the creative resolution of the tension between the historically evolved ethnic and racial consciousness of the population and the intuitive aversion to group affiliation in the political sphere (given that apartheid had imposed racial and 'ethnic' categories in order to further the agendas of successive white regimes). The promotion of national unity, a national identity and social cohesion more generally (with due regard to the contradictory and often conflictual potential of these goals) will ultimately depend on how this fundamental issue is approached.

Whatever the particular emphases of the various programmatic documents of the South African struggle,¹³ the inarticulate major premise of most of them was, and is, that a democratic South Africa would inevitably be framed in terms of a non-racial ethos. A system was envisaged in which ideas and practices based on the concept of 'race', whether viewed through the discredited lens of biology or through the more realistic lens of sociology, would tend to wither away because of the demographic reality of a black majority that had been brutally oppressed on the basis of precisely these notions of 'race'. It is, therefore, pertinent that it was the Congress Movement with its multiracial focus (based on the undoubted social reality of the four 'races' – African, White, Coloured and Indian) that became the heir to the apartheid regime, rather than any of the other tendencies that explicitly stressed their 'non-racial' orientation. The dilemmas and ambivalences of these critical ideological issues became particularly manifest in the 1970s and 1980s when the Black Consciousness Movement set out to create a unifying paradigm for the liberation movement as a whole – one that was to be based on the paramountcy of the interests and independence of 'the black man' but intended to inaugurate a 'non-racial' dispensation after the expected demise of apartheid. The mobilisations of the 1980s under the banner of the National Forum, and much more prominently and enduringly under that of the United Democratic Front, appeared to shift the focus of the oppressed people decisively towards the non-racial traditions of the movement. But it was clear to the more perceptive analysts and commentators that that focus could easily be changed, depending on the balance of political forces. Today, there is no doubt at all that the dominant paradigm has indeed shifted 'back', as it were, towards the contending multiracial tradition. The fact that the relationship between an unavoidable national South African identity and possible sub-national identities continues to constitute the stuff of

political contestation in post-apartheid South Africa demonstrates clearly how tenacious the hold of history is on the consciousness of the masses of the people. The most optimistic conclusion to draw from a consideration of this ongoing contestation is that the 'end of South African history' is not in sight.

Unintended consequences of the historic compromise

The fact that the apartheid regime was not overthrown by military means is the real source of the affirmative action strategy.¹⁴ In a nutshell, the regime change that was rung in by the compromise between the leaders of Afrikaner and African nationalism in South Africa had to demonstrate visible and immediate benefits for the majority of the people. For reasons that inhere in the profound social and economic inequalities that did not disappear the morning after the settlement was signed, the real beneficiaries of the deal have been the bourgeoisie themselves and the rising black and established white middle and professional classes.

For South Africa's owners of capital,¹⁵ the agreement has been the desired 'open sesame' to an inflow of foreign direct investment, multinational mergers, joint ventures and investment in and trade with the rest of the world, especially with the rest of Africa, free of the restrictions of sanctions that had helped to choke the apartheid regime and its economy to death. The consistent growth of the post-apartheid economy in terms of (and in favour of) capital accumulation is incontestable testimony to this conclusion. For the black middle class, the new dispensation is a dream come true but, it has to be stressed, much in the manner of Bell's version of the fairy tale of Bluebeard's Castle. For, on the one hand, the need for skilled labour, administrative professionals, as well as middle and junior management personnel that necessarily accompanies burgeoning economic growth creates apparently limitless opportunities for the lucky ones that manage to escape from the grinding poverty and the desolation of the rural areas and the urban shacklands. These are, clearly, the real targets and beneficiaries of the affirmative action strategy, based on 'race' (and gender and disability, be it noted) because they alone have qualifications comparable with those of their 'white' counterparts who, ironically, are the progeny of generations of people that had benefited from the affirmative action strategies of the white supremacist regimes under segregation and apartheid. On the other hand, these same black middle strata do not have the advantage of accumulated economic and – in the

Eurocentric universe in which they are meant to compete – cultural assets that their white counterparts have and, therefore, tend to feel as though they are always skating on very thin ice.

The potentially devastating consequences of this scenario are beginning to manifest themselves in defensive racist attitudes of entitlement, professional incompetence that breeds inferiority complexes and, all too often, resentment of any kind of excellence. In addition, elitist attitudes and aspirations to glamorous lifestyles thrive amidst the devastation of the townships and the former homelands, hire-purchase fantasy worlds crumble into dust while the blight of corruption, fraud and outright theft continues to spread. Meanwhile, a tendency towards denialism with respect to anything that points to the nightmarish quality of the ‘dream’ prevails. These are just a few of the ways in which the advantages of democracy and freedom that have fallen into the laps of this class are being annulled. The same issues are present among the white middle classes of course, since these men and women are part of an integrated economy in which the pressure to seize the main chance is always present. There is no doubt, however, that they occur more frequently and are sociologically more likely to do so among the upwardly mobile black population than among those labelled white.

A new historical community?

According to Section 1(b) of our post-apartheid Constitution, the new South Africa is committed to becoming a non-racist society, among other noble goals. This constitutional mandate, reflecting centuries of struggle against racism and racial discrimination, essentially means that in the new South Africa racial identities are a category of sub-national social identities that will be discouraged, deprived of sustenance, phased out. Nobody expects that this will happen overnight. The struggle for a non-racist, non-sexist and democratic South Africa will take generations rather than decades. The political and cultural leadership of our country, those people who are the role models for the youth, have a heavy responsibility to help to create the conditions for realising these goals.

Let us, as simply as possible, consider some of the more important understandings of racism and race thinking that we have gained over the past century or so. A reputable study undertaken on behalf of the UN Conference Against Racism by the International Council on Human Rights Policy, and based on a wide variety of case studies of racism, asserted one of the core insights to the effect that

It is helpful – indeed essential – to recognise the systemic nature of discrimination and stigma... In all the societies studied, racial discrimination reinforced economic marginalisation and vice versa. Members of victimised groups came to be exploited and marginalised economically and, at the same or at separate times, they came to be considered inferior. From the perspective of dominant groups, their inferiority ‘justified’ their exploitation and their consequent impoverishment ‘demonstrated’ their inferiority. The two processes confirm one another. With the passing of time, moreover, the social, political and economic inequalities that result came to be entrenched. The assumption that one group was ‘naturally’ poor because it was inferior became established intergenerationally – and differences of opportunity (access to health, education, employment, and so on) became systemic. In the absence of a countervailing force for reform, the victimised group cannot easily escape its poverty or the stigma that reinforces it, and time merely deepens the divide between the dominant and dominated group. To complicate matters further, often enough members of the victimised group internalise (and thereby confirm by their behaviour) some of the assumptions that underpin their treatment by the dominant group.¹⁶

It ought to be obvious, on the basis of such comparative studies, that unless the economic basis of social inequality, justified by means of racial ideology (race thinking), is tackled, the racial order is simply reproduced. In South Africa, too, unless a radical redistribution of material resources is realised within the lifetime of this generation and the next, all the glib rhetoric about social transformation, national democratic revolution and an African renaissance will return to mock their authors and exponents. The late Reverend Beyers Naudé once said that ‘true reconciliation’ was only possible ‘when we bridge the economic gulf, for you can’t build a society of justice on the increasing gap between rich and poor’. He went on to say that only if the government moves towards an equitable distribution of wealth, land, property and income could the political ‘miracle’ begin to uproot the evil of racism which is ‘deeply rooted in South Africa’.¹⁷

This is where the debates about affirmative action and black economic empowerment have to be located. It is important to repeat that South Africa did not experience a social revolution such as that in Cuba in 1959 and in the 1960s. If that had happened, the properties and the assets of the ruling classes would have been confiscated under conditions of civil war and traumatic violence. Instead, because of the negotiated settlement, affirmative action of some kind was, and remains, a political imperative

for the liberation movement. Any post-apartheid government has to be committed to the redistribution of economic, social, cultural and political power and resources that constituted the fundamental reason for the struggle against racial capitalism in general and apartheid in particular. Otherwise, its social base, its constituency, will write it off as a neo-apartheid regime.

Given the neoliberal capitalist economic reality within which we have to operate, it is clear to all who have a sense of history that any such reformist programme will take a very long time. Whether it will 'succeed' is, to put it bluntly, a matter of class struggle in the classical Marxist sense of that term. The struggle continues, as we see on a daily basis. The *transformation* measures, especially at the socio-economic level, that will empower poor, working-class communities require radical interventions in the way that the capitalist system works in this country.

This is, however, not the focus of this chapter. Rather, I am concerned about the ways in which programmes based on the notion of historical redress are implemented, and the consequences they might have for the future of our children. This is why I pose the question: are we building a new historical community? One could also ask: are we using the historic opportunity that the 1990s made available to us to create another South Africa, one where race thinking and racial discrimination, among other things, will eventually become as anachronistic and as pitiable as the belief in witches?

There are definite processes that we can and should initiate immediately. To begin with, we have to ensure that affirmative action and related measures do not have the unintended consequence of entrenching racial (and other) stereotypes in the consciousness of the people. As we all know, stereotyping is humanity's natural way of coping with the complexity of the world. By placing people (and, indeed, most other things) in categories or boxes, we simplify matters for ourselves and construct entities, such as 'racial groups' and 'cultures', that help us to deal with individuals in stereotypical ways. However, the mark of civilisation is precisely the distance we, as individuals and social entities, have travelled away from such stereotypes by, for example, judging and relating to individuals in terms of their actual, rather than their ascribed, behaviour.

It means, fundamentally and among other things, that we have to see to it that the entrenched and inherited racial identities that disfigured the popular consciousness of colonial and apartheid South Africa are changed

and eventually eradicated. This is not an easy task and we will not succeed completely in the next few generations. The mere casting of a vote in the 1994 election did not have the miraculous effect of removing the inherited racial stain from the consciousness of the people. However, it must be the goal of all creative and thinking people in this country to ensure that, among other things, labels such as 'black', 'white', 'coloured' and 'indian' become irrelevant as a means of identifying groups of people in the new South Africa.

Today, most scientists accept that 'race' is not a valid biological entity. This does not mean, however, that we should deny the social reality of these identities. Denial is no solution to any social illness, be it AIDS or racial prejudice. Most South Africans continue to believe in racial categories because they have been conditioned to accept these as real. They continue to see the world through glasses that are tinted by the outdated concept of 'race'. More than sixty years ago, 'race' was called 'man's most dangerous myth'.¹⁸ After the horrors of the race-based genocides of the transatlantic slave trade in an earlier period, and in Nazi Germany, ex-Yugoslavia, Rwanda and many other places during the last century, nobody can doubt that 'race' is indeed one of the matches that can burn down the most brilliant achievements of the human spirit.

It is common cause in the social sciences today that social and individual identities are constructed, not 'given'. The state, or more generally, the ruling classes, in any society have the prerogative of setting the template on which social identities, including racial identities, are based. Subaltern groups and other layers of such societies necessarily contest or accept these identities over time. In our own case, recent examples of contestation are the categories of 'Bantu' and 'coloured'. We must remember, however, that even though they are constructed, social identities seem to have a primordial validity for most individuals, precisely because they are not aware of the historical, social and political ways in which their identities have been constructed. This is, ultimately, the psychological explanation for the well-known tenacity of such identities. That they can be deconstructed and reshaped is manifest in the unravelling of the supposedly immutable ('granite') Afrikaner identity, which is taking place at this very moment.

It is unacceptable and unconstitutional for any South African to think that, after apartheid, we can light-mindedly go about entrenching and promoting racial categories as though it is some harmless game. It is most

embarrassing and demeaning to be faced once again with official forms that ask one to state one's 'race'. We who fought against that practice under the apartheid regime still refuse to respond to this today. There are ways other than using the shorthand of 'race' to achieve the legitimate goals of affirmative action. That is what we should be dealing with in our public debates and in the often tedious and mindless talk shows on radio and television. It is our duty to do everything we can to undermine and weaken the hold that these ideas have on the minds of our people. One of the main tasks of an anti-racism educational project is to bring into full view the underlying structures that have to be changed so that we can create the conditions in which racism and racial prejudice can no longer easily grow.

Johann Roussouw, then the editor of *Die Vrye Afrikaan*,¹⁹ speaking in that little box of racial purity known as Orania on 11 August 2007, said that we have to re-imagine our people and our communities. In my view, we should debate these re-imaginings openly and at length since this is the beginning of democratic wisdom. It is important, however, that we bear in mind a few points in these essential debates.

Firstly, national states are the result of historical processes and they tend to change in accordance with the ebb and flow of class struggles. For this reason, even though certain generalisations are possible, we cannot directly read off 'solutions' for any national question from the experience of another national state. In each case, the progressive leadership has to take into account the peculiarities of the local history and of the consequent unique dynamics of the social formation.

Secondly, the possibility of national unity arises on the basis of the instrumental features of any national identity, in other words, the structural reasons for the interdependence of the population inhabiting any territory on which capitalist state formation has occurred.

Thirdly, the tension between class antagonism and the need to earn a living in the case of the working classes, and the need to make a profit in the case of the owning classes, does not, except under the rare conditions that give rise to social revolution, dissolve this interdependence and, thus, for most people, the meaningfulness of life in a particular national entity. For a growing percentage of people in modern capitalist states, the political community known as 'the nation' is reinforced by the juridical badge of nationality symbolised by the national passport, a fact that is of vital importance in a globalising world where travel across many frontiers is becoming the norm.

Fourthly, the sentimental aspects of national identity, which is what most of the debates, certainly in South Africa, are focused on, are difficult to deal with in a 'rational' mode, since so much of the protagonists' multiple identities seem to them to be given, that is, they are autonomous and non-material or 'cultural'. Usually, these features are projected through all the different ways in which people have come to cope with the imperatives of everyday life within the groups that have been historically and socially constructed. Thus, re-imagining these 'groups' or communities implies radical changes in everyday practices, beliefs, prejudices and other attitudes. It involves, in other words, a certain disruption of cherished 'comfort zones'. By way of a significant example: in South Africa, moving out of the racial cage of being 'an Afrikaner' or 'a coloured' will involve, among many other things, learning a Bantu language. This is the reason why a democratic language policy, which includes language-acquisition planning in crèches and schools, is such a pivotal issue for the next two or three generations of post-apartheid South African children.

One does not need much imagination to see all the possible initiatives that can be taken by civil society and government if the commitment to a non-racial South African nation is to be realised. If, however, this vision is absent, we will inevitably stumble into the jungle of racial conflict and the fragmentation, rather than the expansion, supersession and transcendence of the national state. Once again, we would confirm the wisdom of Proverbs where the sage asserts: *Where there is no vision, the people perish!*²⁰

Notes

1. See for example, HSF (2010a; 2010b).
2. The debate about the appropriate terminology for demarcating the period when the indigenous people were fighting the colonial intruders to maintain control of their land and sovereignty ('primary resistance') and when their progeny began fighting for integration into the colonial system as free citizens ('national liberation') is discussed in Alexander (1981: 2–3).
3. Ironically, most of the ideas associated with apartheid, and with the alleged authorship of Dr Verwoerd and other notorious Afrikaner ideologues of the racist system, actually derive from this 'British' document! It is available online at <http://www.archive.org/details/southafricannati00sout>.
4. See Davenport and Saunders (2000: 240–241).

5. See No Sizwe (1979) and Alexander (1986).
6. I use capital letters for nouns used to name different groups of people, hence 'Coloureds', 'Indians' etc. and lower case when these words are used as adjectives or adverbs. Although English spelling (orthography) demands that 'Indian' and 'African', as related to geographical place names, always be capitalised, it is my view that we need to be radical on this score. Using a small 'a' and a small 'i', when using indian or african as adjectives, just as we do with 'coloured' or 'white', helps to stress the fact that these too are racialised terms, and that we do not condone these concepts.
7. The South Africa Act, which created the Union of South Africa, was passed in the British parliament in 1909.
8. This is how David Curry, then deputy-leader of the (coloured) Labour Party, described that party's decision to participate in PW Botha's racist tricameral 'parliament' in 1983.
9. Bell (2001: 553–590).
10. For practical purposes, the political influence of the traditionalist 'right' in the popular movement was negligible after 1945. Historically, given the penetration of capital in the subcontinent, it had inevitably become a waning social and political force, even though its cultural and symbolic significance would endure, much as that of the British royal family might be said to have done.
11. See Alexander (1993).
12. See Roux (1948) and Drew (1996).
13. These have all been reprinted in the five-volume documentary history edited by Karis and Carter (1972–1977; 1997).
14. For my particular view on the process and the implications of the transition in South Africa, see Alexander (2002).
15. Elsewhere I have pointed out that for historical reasons this class consists almost exclusively of people labelled 'white' and, except in the unlikely event of some radical social transformation, it will remain so in the foreseeable future – see Alexander (2006).
16. ICHRP (2001: 6).
17. Quoted in Murray (1997: 8).
18. Montagu (1945).
19. The short-lived Afrikaans version of *Le Monde Diplomatique*.
20. Proverbs 29: 18.

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Chapter Nine

Afrikaner and Jewish nationalisms

Andre Zaaiman

We are all capable of believing things which we know to be untrue, and then, when we are finally proved wrong, impudently twisting the facts so as to show that we were right. Intellectually it is possible to carry on this process for an indefinite time: the only check on it is that sooner or later a false belief bumps up against solid reality, usually on a battlefield.

– George Orwell, *London Tribune*, 22 March 1946

The question of the similarities and/or dissimilarities between Afrikaner and Jewish nationalisms arose in the renewed debate around the similarities and/or dissimilarities between apartheid and Zionism. It has taken on a renewed urgency as a result of unfolding events on the ground in the Middle East.

This chapter was therefore written in a highly politicised environment on an issue that is as important as it is charged. Sober and rational debate is often the first casualty in such circumstances. While activists eager to show the links between apartheid, racism and Zionism have paid attention to an analysis of the similarities between these two phenomena, Zionist activists (eager to decouple racism and apartheid from Zionism) have instead tried to highlight the differences. My position is that, no matter what position one takes, it remains critical to notice, analyse and understand both the similarities and the dissimilarities; even more so if one aims to inform the development of effective strategies for really fundamental and inclusive change. Moral outrage, as a manifestation of a particular ethical position, may be a necessary condition for the genesis of such a strategy, but it is most definitely not a sufficient one.

My chapter is political but it is also personal and strategic. Like all victims of hegemonic ideological projects, we swim in a sea of personal, social and physical facts. I have tried to weave these three elements into the chapter in non-pedantic and hopefully thought-provoking ways. I also assume that readers do not need moralistic lessons in ethics, politics or history. This is therefore not an attempt at a traditional, comparative study between these two phenomena or to embark on a tirade against apartheid

or Zionism, well deserved though this may be. Consequently, I have deliberately refrained from discussing the usual and obvious list of similarities such as:

- The similar timing of the late nineteenth-century birth and growth trajectories of two initially internally contested, ethno-national projects in which the resurrection or creation of a language (Afrikaans/Hebrew) played a central role, coupled with real experiences of ethnic or linguistic discrimination and persecution, as well as the recruitment of memories of this persecution to justify doing the same to others;
- The moment of political birth in 1948 and the years of close military, economic, technological and political collaboration between the two regimes. This included nuclear collaboration and trading between two regimes, neither of which had signed the Nuclear Non-Proliferation Treaty;
- The parallel inventions of historiographies that are based on denying the history of the Other, the lie of 'empty land' and the paradoxical continuous effort to, in effect, 'empty the land';
- The skilful use of codified religious myths of uniqueness, specialness, 'westernness', missionary civilisation and (racial) superiority;
- Settler-colonialism combined with organised racial discrimination and backed up with extraordinary intellectual and moral sophistry to pretend that this is not so;
- Shared obsessions with demographics, dispossession and strategies of divide-and-rule;
- Extensive use of repression, oppression, structural violence and assassinations using death squads;
- Mass detentions of political opponents; and
- The glorification of the military-security apparatus, the use of conscription and a reliance on nuclear weaponry.

Instead, I will highlight some salient similarities between Afrikaner nationalism (in its apartheid skirts) and Jewish nationalism (in its Zionist uniforms) by way of personal anecdotes, declaring my own biases in the course of my writing. In so doing, I hope to avoid shadow-boxing, storming windmills on donkeys or setting fire to straw dolls. Instead, as a democrat, my hope is for constructive debate on this important topic, even though there might be disagreements and the adoption of different posi-

tions. These are topics and issues, I may add, that deserve the attention of any person seriously interested in contemporary international politics, security and justice.

I was raised in a mildly nationalist Afrikaner home and it is no surprise that this shaped my thinking about life and politics in my youth. But around the age of eighteen I started to develop severe problems with the core tenets of Afrikaner nationalism; in particular with its founding myths and the religious justifications of its political beliefs – beliefs that became increasingly repulsive to me. It became progressively apparent to me that these concepts and mindsets were at odds with reality. Or, to put it more precisely, that these ideals were presented as realities when, in fact, they were aspirations and ideological constructs in the process of being coerced onto reality. In this sense, apartheid as the hegemonic manifestation of Afrikaner nationalism in a specific historical moment was a form of collective madness; the ‘world in the head’ was completely at odds with and even disconnected from the world on the ground. And the whole edifice of apartheid, from 1948 to 1994, was an attempt to reconcile these two worlds.

In my early twenties, my private doubts turned into a public rebellion and eventually a deep-seated conviction. My private doubts began when I was handed the family register containing our genealogy (a document which incidentally seemed to have the same sacred status as the family Bible). There I discovered that the first entry in the register created a lot of anxiety, denials, feigned disinterest and blank stares. In the Cape Archives I discovered why: our family began when a Dutch colonist-turned-thief (and not just of land – this is what colonists do by definition) married an indigenous woman, the daughter of Eva Krotoa, while on a boat to Mauritius, to where they had both been banished. At the height of apartheid South Africa, this discovery was an embarrassment that went against the grain of the purity of genealogical whiteness that was held up as both an ideal and a reality in the mainstream Afrikaner community.

At the time of my discovery I regularly accompanied my father, a deacon in the Dutch Reformed Church, to church on Sunday mornings to get my weekly dose of religious justification for apartheid, Afrikaner superiority and racial purity. However, following the 1976 Soweto uprising and the escalating fight against ‘communists and blacks’, the regime needed to expand its military capabilities. To raise money for this, the government decided to issue defence bonds in what seemed to be a mild form of lot-

tery. At that time, the church's rather fundamentalist interpretation of the Bible regarded gambling as a major sin. The same church, however, effortlessly reinterpreted the scriptures to justify the issuing of these defence bonds and patiently explained to congregation after congregation why this was not gambling and why, even if it were, it would be justified.

One morning, however, my father and I missed our regular service and had to attend the evening one instead. The preacher for that evening, a true fundamentalist, went for a literalist interpretation of the Good Book. He would have none of this gambling and lottery nonsense and promptly denounced it as a sin. I was shocked. From the same Bible and from within the same denomination came two diametrically opposed messages; how was this possible?

These episodes and internal inconsistencies triggered my personal search to understand Afrikaner nationalism, apartheid, my community and myself. It eventually led me to becoming a conscientious objector against military conscription and, in my early twenties, I joined the liberation movement (the African National Congress), a movement then dedicated to fighting apartheid and to building an inclusive, just, equitable and non-racial democratic order in South Africa.

I must emphasise that I joined the struggle against apartheid because I personally wanted to be free. I found the ready-made and patently concocted identikit of what it was supposed to mean to be an Afrikaner oppressive, authoritarian, stifling and, to put it mildly, built on extremely sparse truths. My background also imbued me with a lifelong aversion to socio-political and economic projects that exclude, discriminate, oppress, manipulate myths to the extreme or that coerce 'us' or 'them' into accepting any of this. I have, in any case, already lived and posited my personal objection to the idea of exclusivist ethnic nationalism and to ethnic states, whether here or elsewhere; my biases and preferences are clear and transparent.

Since I am not Jewish, I cannot pretend to be an expert on Jewish nationalism and its particular expression called Zionism: lived experience, feeling something in your bones, is just not the same as the cerebral insights and dainty footwork of academic debates. However, I do *not* think that a non-Afrikaner cannot be an expert on Afrikaner nationalism or a non-Jew on Jewish nationalism. It is simply that, in my experience, the critical test of a belief system emerges when it confronts you in personal ways and brings with it the potential of some form of personal sacrifice

and harm. It is easy to denounce something that does not directly affect you; particular contexts always bring their own complications, their own realities, pain, constraints and especially their own very personal and difficult choices.

But let me add another complication. As an opponent of ethnic nationalism at home and in principle, I am nonetheless, as an outsider, called upon to take a moral and political position against issues such as ethnic chauvinism, oppression, colonialism, land-theft and imperialism. This position has to be actualised in the form of solidarity with people living under this yoke and with the organised and legitimate forces resisting and struggling against it. Solidarity, therefore, does not imply prescription, interference or deciding for others what their struggles should be – that would negate the principle that people should be free to determine their own destinies according to their own judgements, values and ethics. The struggle against apartheid was always led by the ANC and the ANC was the representative voice of the vast majority of the oppressed in South Africa. This principle should not be compromised, no matter how strong and passionate our own personal convictions may be.

Some basic perspectives on nationalism

In discussing the issue of ethnic nationalism, it may be useful to reiterate some basic perspectives.

1. Ernest Gellner reminds us that nations, like states and ethnicities, are ‘a contingency and not a universal necessity’.¹ They are, like the concepts we use in order to debate and discuss them, social constructs and human inventions. Seen in historical perspective, they are phenomena that are history and context dependent, that reflect choices at particular historical moments, and that emerge and then disappear. It is the ideological function of nationalism to give them the appearance of naturalness and permanence.
2. Writing about ethnicity and the state in Africa, Jean-Francois Bayart points out in his book *The Illusion of Cultural Identity*² that the political importance of ethnicity (and, I would like to add, political Islam) derives from the fact that it is a modern phenomenon connected to (in opposition to) an ‘imported’ state such as the colonial state. It is, in other words, not a residue or resurgence of traditional culture, although many people would like to frame it as such. John Iliffe ex-

pressed it beautifully, saying: 'Europeans believed Africans belonged to tribes; whereas Africans built tribes to belong to.'³ Consequently, it is a mistake to juxtapose the modern phenomenon of nationalism with ethnicity as if it were a pre-modern phenomenon; just as it is a mistake to juxtapose the modern phenomenon of secularism with political Islam as if it were a pre-modern phenomenon. All of these constructs are deeply and unequivocally modern.

3. In his 2004 book, *Good Muslim, Bad Muslim*, Mahmood Mamdani highlights some of the contemporary consequences of giving culture (or ethnicity or a nation) a kind of tangible essence. He explains that contemporary politics is a result of that essence and of dividing the world on a cultural basis between those that are modern and those that are pre-modern. He argues that this division allows for different ways of talking (which he terms Culture Talk) and behaving depending on your status: for example, large-scale violence perpetrated by those that are 'modern' against those that are 'pre-modern' is not classified as genocide but as something less cruel and less repulsive. Culture Talk stigmatises those that are shut out of modernity as anti-modern because they resist being shut out. Mamdani goes on to differentiate between two contrasting narratives within Culture Talk:

- A narrative that talks about pre-modern peoples as those that are not yet modern, who are lagging behind or have not yet started the journey towards modernity. During the Cold War, Africans were simply seen as being incapable of modernity. In this narrative, relationships based on development, dialogue and philanthropy are encouraged.
- A narrative that describes pre-modern peoples as anti-modern. After the Cold War, Islam, and political Islam in particular, are described as not only incapable of but also resistant to, modernity. This narrative produces relationships based on creating fear, preventive policing and pre-emptive military action.

For Mamdani, the tragedy of the Holocaust, a seminal event in the evolution of modern Jewish nationalism, was born 'at the meeting point of two traditions that marked modern Western civilization: the anti-Semitic tradition and the tradition of the genocide of colonised peoples.'⁴

4. For John Searle,⁵ language, the way we talk about things and the narratives that this engenders, are central to the construction of the social world. Looking at the conceptual relationships between linguistic structures and pre-linguistic intentionality; how language both introduces deontology into social relations and how it creates an institutional reality with a deontic structure; he makes the argument for the constitutive role of language in the construction of society, of social institutions and of social reality, noting that:

Just having a belief or a desire or an intention does not so far commit a person in a public way. Of course a belief is a commitment to truth and desire is a commitment to satisfaction and an intention is a commitment to action, but none of these so far are public undertakings. But once you freely commit yourself to the conditions of satisfaction of these corresponding states and you do this in a public way, by imposing conditions of satisfaction on conditions of satisfaction, and you do it according to the normative conventions of a language, then you are creating obligations and other sorts of deontic commitments.⁶

In other words, once you have a capacity to represent, you already have the capacity to create a reality by these representations, a reality that consists, in part, of representations. Two examples suffice:

- If you have the capacity to say ‘he is our leader’ or ‘this is my land’, then you have the capacity to do something more than represent pre-existing states of affairs. You have the capacity to create states of affairs with a new deontology; you have the capacity to create rights, duties and obligations by performing and getting other people to accept certain forms of speech acts. According to Searle, once you and others recognise someone as a leader or something as the property of someone specific, you have already created a public deontology and this then becomes what Searle terms ‘institutional fact’. I need not overtly refer here to aspects of either Afrikaner nationalism or Jewish nationalism (Zionism), as the multitude of statements pertaining to, for example, the issue of land ownership abundantly demonstrates and affirms this point.
- Institutional facts may evolve out of non-institutional physical facts. Imagine we build a wall around our property or country, where the wall performs the function of restricting and controlling access. The wall then decays over time until all that is left is rub-

ble and a line of stones. But suppose the inhabitants and outsiders continue to recognise the line of stones as having the status of a boundary. If they continue to recognise that they are not supposed to cross that boundary without authorisation, it would represent an institutional fact. Similarly, in places and situations where concrete walls and imaginary boundaries are both real, such as in the Middle East, this point becomes self-evident.

The point is that language, narratives and discourses therefore dynamically create, shape and reflect realities. The language, narratives and discourses of Afrikaner and Jewish nationalisms reflect clear similarities, especially in the ways in which the self is described in opposition to the Other and in the ways in which 'facts were created on the ground'; in some cases successfully and in others not.

Similarly, in his book *Imagined Communities*, Benedict Anderson makes the case for nations as imagined communities and points out the central role that language often plays in achieving this. This does not only refer to language as narrative but also the invention or reinvention of a language itself as is the case with Afrikaans and Hebrew.

5. Jean-Francois Bayart reminds us that nationalism, whether ethnic or religious, is a complex phenomenon that involves dynamics other than that of state-building carried out by the demiurges of national integration (and its corollary, exclusion).⁷ We cannot understand complex systems by ignoring their complexity: the system is more than the sum of its parts and the inter-relationships between the various components reveal a deeper understanding of what we are dealing with. And this complexity may require new transdisciplinary ways of working in order to lead to such a deeper understanding. We will never understand ethnic nationalism via ideological, political or moral slogans.
6. At the same time, the hardwired nature and requirements of the human species for sense-making, contextual adaptation, social interaction, cognitive scaffolding, collective action and consciousness have become quite evident. Charles Taylor, in his book *Modern Social Imaginaries*, reminds us that 'for most of human history and for most of social life, we function through the grasp we have on the common repertory, without benefit of theoretical overview. Humans operated with a social imaginary well before they ever got into the business of theorising about themselves'.⁸ He goes on to say that

Ideas always come in history wrapped up in certain practices, even if these practices are only discursive practices. But the motivations that drive the adoption and spread of these packages may be varied; indeed it is not even clear that we have a typology of such motivations (economic versus political versus ideal, etc.) that is valid throughout human history.⁹

In the case of both Afrikaner and Jewish nationalisms, real suffering and persecution combined with a desire for revenge, even if this revenge is displaced, also seem to have been strong motivations.

Nationalism's salient traits

Let me offer another personal anecdote here: it is a tradition in Afrikaner homes that the extended family gathers for a communal lunch every Sunday after church, and our family was no different. In the dining room, with its large and heavy oak table handmade by my grandfather, we would gather for a sumptuous meal of several courses, surrounded by images on the walls, reminders of the history of Afrikaner suffering under the British in concentration camps during the Anglo-Boer War. Without fail, by the time we hit dessert, my grandmother would be in tears. After a few moments of respectful silence, my grandfather would ask: 'What is wrong Ma?' We all knew the response by heart: she could not forget, when she saw the food, the suffering of family members in the concentration camps, the lack of food, the hunger, the mean British guards, the separation from family, the burnt homesteads and the confiscated land. The tragic irony that Afrikaners were, at those very moments, busy with their own gigantic project of land confiscation, forced removals, violent displacement, oppression and racism – repeating in essence what was done to them – never featured in the discussions that followed.

As an ideology, nationalism departs from a set of assumptions, the most important of which, according to Anthony Smith, are:¹⁰

- The world is divided into nations, each with its own individuality, history and destiny;
- The nation is the source of all political and social power and loyalty to the nation overrides all other allegiances;
- Human beings must identify with a nation if they want to be free and realise themselves; and
- Nations must be free and secure if peace and justice are to prevail in the world.

Oren Yiftachel, in his discussion on the emergence of what he calls 'ethnocratic states', alludes to the emergence of such states as the fusion of three forces:¹¹

- Settler-colonialism, which may be external (of another state or continent) or internal (within a state);
- Ethno-nationalism, which draws on the international legitimacy of national self-determination to buttress the political and territorial expansionist goals of a dominant ethno-nation;
- A conspicuous 'ethnic logic' on the part of capital, which tends to stratify ethnic groups through uneven processes of capital mobility, immigration and economic globalisation.

Yiftachel goes on to argue that these forces mean that 'ethnocratic regimes' reflect, and at the same time reproduce, patterns of ethnic stratification and discrimination. In my view, this applies to both Afrikaner and Jewish nationalisms and to their nationalist expressions in apartheid and Zionism. Perhaps I should first state that, for me, both are specific expressions of a form of ethnic nationalism, some may say chauvinism. Other forms of expression of collective identity were available and vigorously contested, but what ultimately triumphed was apartheid in the case of Afrikaners and Zionism in the case of Jews.

Moreover, both these movements actualised their respective variants in a context of violence, displacement of indigenous people, land confiscation, separation and segregation couched in an appeal to a religious mission. This violence was/is often discussed and justified in cultural terms in relation to an 'absence of modernity' among the victims, as opposed to the more theological explanations that tend to be offered for other examples of large-scale violence perpetrated in modern societies (such as the Holocaust) that are described as evil.¹²

Anthony Smith, in his book *National Identity*, distinguishes between two different conceptions or models of the nation, namely, the 'western' civic-territorial model and the 'eastern' ethnic-genealogical model. This conceptual distinction has important consequences.

In the first case, civic and territorial models of nationhood tend to produce certain kinds of nationalist movements (namely, anti-colonial movements before independence and integrationist movements after independence). In the pre-independence phase such movements will typically aim to eject foreign rulers and create a new nation state. In the next phase, such movements often try to integrate disparate ethnic populations into a new political community in order to create a new territorial nation.

In the second case, ethnic and genealogical models of nationhood tend to give rise to diasporic and secessionist movements and to 'pan-' and irredentist movements after independence. In the pre-independence phase, the ethnic group will typically seek to secede from a larger political unit and/or gather together in an ethnic homeland to set up a new political ethno-nation. In the second phase, such movements often seek to expand the ethnic kin of the ethno-nation and the lands that they inhabit and/or to form a much larger ethno-national state through the union of similar cultural and ethno-national units.

Smith also describes two ways in which ethnic communities have transformed into nations. The first is through a state-sponsored process driven by a lateral ethnie (ethnic group). As the state becomes more centralised and bureaucratic, it attempts to incorporate the middle classes and outlying regions through military, fiscal, judicial and administrative processes. It often weaves disparate groups together into a political community based on the culture of the dominant ethnie. The intelligentsia, if they play any role at all, usually have a subordinate one. This type of transformation, if successful, usually leads to the civic-territorial model.

The second process has been followed by smaller demotic communities whose ethno-religious self-conceptions have been translated into more activist, political ones. The key to this transformation is the process of vernacular mobilisation. A small circle of educator-intellectuals (despite different responses to westernisation and modernity and intent on purifying and mobilising 'the people') appeals to a community's alleged ethnic/religious past. To do this they draw cognitive maps and historical moralities for present generations from the poetic spaces and 'golden ages' of the communal past. In this way, they hope to transform 'backward' and traditional ethnic communities into dynamic, vernacular and modern political nations. This, if successful, leads to the ethnic-genealogical model.

Afrikaner and Jewish versions of ethnic nationalism relied predominantly on the ethno-genealogical model. Once they had captured/created the state, they both skilfully used the state to gather in and subordinate dissenting and competing ideas as well as other members of their ethnie. Both worked very hard to ensure that, within their own communities, expressions of ethnic nationalism (apartheid and Zionism) remained hegemonic.

By the late 1990s, the Afrikaner model lay in tatters and Zionism looked distinctly unsettled. It is clear that, towards the end of the Cold War and immediately afterwards, the civic-territorial model was in the ascend-

ancy; the ethnic-genealogical model was in retreat, if not entirely discredited. But shortly afterwards, as we moved into the interregnum, it became clear that the two models were contesting anew for dominance. By 1991, Anthony Smith had already made the bold claim that ethnic-genealogical forms of nationalism were the most active.¹³

This contestation forms part of broader attempts to unilaterally transform and reshape the global order and architecture – the move away from the General Assembly towards the UN Security Council (and the G8); the move away from doctrines of law to doctrines of rights; the replacement of policies of non-interference with those that favour pre-emptive intervention. The list is as frightening as it is endless; many of the major progressive achievements and advances of the previous century are being made redundant and replaced with narrow and reactionary alternatives. Suddenly it is again kosher to be a colonist, it is acceptable to invade foreign countries and it is ‘obvious’ that the ‘pre-moderns’ must be domesticated and westernised.

Suddenly, irredentist and secessionist movements are on the rise everywhere. Yugoslavia is broken up and, even in Africa, South Sudan has declared its independence. Partitioning and breaking up countries is suddenly acceptable; excluding minorities and halting the pollution of diversity is *de rigueur*; even Switzerland panicked and, in 2009, banned the building of new minarets.

Smith argued that three waves of ethnic nationalism bring into sharp focus the contrasts between state and nation. The first occurred in the eighteenth century and centred mainly on Eastern Europe and the Middle East. The second happened in the early to mid-twentieth century in the overseas territories of colonial empires; and the third, which has been ongoing since the 1960s, has swept through much of Europe in a process of vernacular mobilisation.

Smith argues that the goals of these ethnic mobilisations remain remarkably similar, namely:

- the creation of a literary ‘high’ culture for the community where it was lacking;
- the formation of a culturally homogenous ‘organic’ nation;
- securing a recognised ‘homeland’ and preferably an independent state for the community; and
- turning a hitherto passive ethnies into an active ethno-political community: a ‘subject’ of history.

I would posit that a fourth wave may be emerging. It has combined with new forms of culturalism, of which Culture Talk is one expression. According to Bayart,¹⁴ culturalism maintains that a culture is composed of a stable, closed corpus of representations, beliefs or symbols that is supposed to have an affinity with specific opinions, attitudes or modes of behaviour. The culturalist argument takes it for granted that (or assumes that it is necessary for) a political community to correspond to a cultural coherence; whether the latter is hereditary/original or rationally determined and chosen through plebiscites. Bayart argues that the resurgence of culturalism has much to do with globalisation.

The important thing is that the ethno-genealogical variant still seems to be the most active form of nationalism. For many societies with diverse populations, the consequences of the ethno-genealogical variant becoming dominant, or even more acceptable, is that it may threaten the often fragile social cohesion and commitment to inclusivity of civic-territorial models. It may also give a new impetus to cultural communities all over the world, and even here in Africa and South Africa, to begin to agitate for secession, for an 'own' state, for a state that includes only 'us' and is cleansed of 'others'.

Surely the future must lie elsewhere.

Notes

1. Gellner (2006: 6).
2. Bayart (2005: 30).
3. Iliffe (1979: 324).
4. Mamdani (2004: 7).
5. Searle (2010).
6. Searle (2010: 87–88).
7. Bayart (2005).
8. Taylor (2004: 26).
9. Taylor (2004: 33).
10. Smith (1991: 74).
11. Yiftachel (2006: 12).
12. Mamdani (2004).
13. See Smith (1991: 123).
14. Bayart (2005: 33, 59).

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Chapter Ten

Israel, South Africa, Ulster and the 'dark side of democracy'

Daryl Glaser

Commentators have not failed to notice similarities between three polities that, during the course of the twentieth century, exemplified the dominance of settlers over pre-existing populations: apartheid South Africa (1948 to 1994), Ulster (1921 to 1972) and Israel (1948 onwards). They have been compared along a number of axes: as products of covenants between God and Old Testament peoples, as ethnoracial labour regimes, and as case studies in protracted ethnic conflict and conflict resolution.¹ They have much less often been compared with each other as democracies of a particular type. Yet a comparison between them in these terms is revealing. Since these democracies were (are, in Israel's case) ethnically exclusionary and hierarchical, such a comparison may tell us something about what Michael Mann termed the 'dark side of democracy'² – a side not confined to the cases at hand and that often reveals itself where the democratic demos encounters its 'other'. The comparison adds something, also, to our understanding of how democracies are implanted, consolidated and widened, and it helps to illuminate important aspects of the three countries themselves. In this chapter it is primarily Israel, the last outpost of the ethno-democratic subtype considered here, that I wish to illuminate.

In all three cases, governments were (and in the case of Israel's, are) determined by the outcome of competitive and direct elections to national legislatures. These elections were generally unrigged.³ In all three cases, elections occur(ed) in settings marked by significant degrees of political pluralism and civil-society autonomy, at least compared to states usually referred to as dictatorships. Indeed, in all three cases, the franchise expanded to become universal, or in South Africa's case was envisaged to do so, in a *certain restricted sense*. By this I mean the franchise encompassed (and in South Africa was planned to encompass) all adult citizens of polities demarcated by settlers or settler-descendants with the endorsement of imperial or international powers and carved out of the larger contested territories of the British mandate of Palestine, Ireland and South Africa including the african reserves.⁴

Settler democracies, majority and minority

I propose that apartheid South Africa, Israel and Ulster form a subset of a larger category of democracies that Mann terms 'settler democracies'.⁵ Put abstractly, these are electoral or representative democracies established by and for colonially implanted settler populations in territories also inhabited by pre-established non-settler populations. In practice, the settlers involved are primarily but not exclusively European (since Europe, and especially Britain, was the vector for the transplanting of representative democracy abroad) and, in all cases but Ireland, the settlers occupied non-European lands.⁶ They also include the USA, Canada, Australia and New Zealand. Settler democracies give expression to the settlers' desire for national self-determination as *collectives* and for civil and political rights as *individuals*.⁷ Among the things that settlers sought greater democratic control over were the native populations; essentially, they desired a freer hand in dealing with the indigenous people, unconstrained by colonial powers. For the pre-established populations – Native Americans, Catholic Irish, Aborigines, Maoris, Khoisan, Bantus, Arabs – the settlers' democratic achievement is, as Mann notes, 'bad news'.⁸ Settler democracies, in some instances, also involved the domination and exclusion of 'nonwhites' imported to perform labour for settlers – African or Asian slaves or Asian indentured workers. Most settler democracies became more ethnically and racially inclusive over time, at least formally, as the property franchise was superseded and as the franchise was extended to internal ethnoracial minorities. In some late-established cases, such as Ulster and Israel, internal minorities were enfranchised from the outset (although many Palestinian Israelis were under military rule until 1966).

Most of the settler democracies acquired independence from the imperial metropole, although not necessarily complete constitutional rupture (the British monarch remains the head of state in Canada and Australia). In one case, Ulster, the post-1921 settler democracy remained part of the 'colonial' state, although, until the imposition of British direct rule in the 1970s (which arguably brought the Ulster polity to an end), it exercised 'Home Rule' and the Protestant majority enjoyed a strong sense of being a distinct people with their own state. A number of settler democracies that later acquired independence began their lives as self-governing colonies, including the thirteen American colonies, the colonial Cape and Natal, New Zealand and the component colonies of Canada and Australia. At least one colonial, mainly settler-dominated, democracy has not yet acquired

independence (New Caledonia).⁹ Still others actually disappeared with independence as a result of states ceasing to be settler dominated, ceasing to be democratic or both. (Among colonies that suffered this fate, Rhodesia is the clearest instance of a settler democracy, primarily because of the extent of local power seized by settlers and exercised by them through parliamentary institutions between 1965 and 1980. European settlers acquired brief late-colonial-era influence in weaker local elective bodies in Algeria and South West Africa.)

The notion of a settler democracy does not quite fit in Latin America. First, 'race' boundaries there were mostly not as clear-cut as in the other settler polities; in Brazil, famously, nation-building was, from the outset, a multiracial project, so there was no settler nation that separated itself sharply from indigenous or slave-descended populations. (This is not to say that there was no racism or that there weren't severe racial inequalities.) Second, Latin American democracy has always been fragile, subject to interruption by military or strongman rule.¹⁰ Its polities were thus neither straightforwardly settler dominated nor straightforwardly democratic.

The subset of settler democracies formed by apartheid South Africa, Israel and Ulster is that of settler-*minority* democracies (SMiDs). These are European or European-sponsored settler societies that constructed democratic polities for emerging settler people-nations in circumstances where pre-established populations claiming the same territory *persistently* either outnumbered or matched them numerically. Thus Yishuv Jews were initially outnumbered in the mandate territory and Israeli Jews remain potentially outnumbered in the same space (and heavily so if Palestinian refugees are taken into account); Protestant English and Scottish settler-descendants remained, to the end of the Ulster period, outnumbered by native Catholics in Ireland; and white South Africans have been outnumbered by Bantu speakers throughout the period of white rule and beyond.

The term settler-minority democracy is not meant to imply that settlers formed minorities in the states they dominated. On the contrary, they formed majorities in two of the cases (Israel proper and Ulster) and attempted to engineer a majority in the third case, South Africa. Indeed, that is, in some sense, the point. They are settler-minority democracies because their architects all faced, in the course of building their nation states, a shared dilemma: how to preserve settler dominance while building democracies, indeed formally inclusive ones, in territories where settlers constitute minorities. As I will show, these nation builders drew on

two devices – partition and ethnic cleansing – to engineer artificial settler majorities within smaller jurisdictions carved from larger contested common spaces.

But even where they succeeded in engineering settler majorities, SMiDs remained haunted by the ‘demographic question’. The engineering of settler majority polities did not resolve the conflicts engendered by the formation of these states, as large territorially displaced or segregated native populations remained alive beyond the borders and proved more fecund than the faster-modernising/secularising settlers. They continued to agitate for inclusion, in all three cases with outside support. They sought inclusion (reunification, liberation, return) within restored larger unitary entities (a unitary South Africa, the area of the British mandate, all of Ireland) in which settler-descendants stood to be outnumbered. The result was protracted conflicts between settlers deeply reluctant to surrender their dominance and natives who refused to ‘go away’.

The settler-minority democracies differ from settler-*majority* democracies (SMaDs) such as the USA, Canada, Australia and New Zealand where the construction of inclusive settler-dominated democratic polities faced no major obstacle from greater indigenous or ‘non-white’ numbers – mainly because indigenous populations succumbed to European diseases, were subject to various forms of armed extermination or were demographically overwhelmed by European immigration. (US settler-descendants faced a bigger threat, demographically speaking, from slave descendants: but even the latter were outnumbered nationally.) The settler-majority democracies were not initially less cruel to natives and minorities than the settler-minority ones. On the contrary, they were able to get away with what Mann calls ‘murderous cleansing’ of ethnic outsiders in ways that post-Second-World-War ethnic democratic states would not have been able to even if they had wanted to.¹¹ The SMaDs’ later, more benignly inclusive, character was made possible by early, and often brutal, successes in eliminating the demographic challenge posed by natives.

SMiDs were not exempt from internal and external pressures towards ethnoracial inclusion. Indeed, and paradoxically, recognition by settlers and their descendants of the inevitability of an ethnoracially inclusive franchise, especially in post-Second-World-War global circumstances, constituted one source of pressure on the Israeli and apartheid regimes (both formed in 1948) to engineer settler majorities capable of outvoting enfranchised ethnic or racial minorities.

Before proceeding, an important clarification: my characterisation of particular populations as settlers is historical and genealogical. It is not intended to question their by now well-established multigenerational relationship with the regions in which they have settled. In the case of South Africa and Ulster, these relationships date back to the 1600s.¹² Modern Jewish settlement is more recent – commencing in the late 1800s – but some or other form of Jewish connection with Palestine dates back millennia.¹³ Nor is the characterisation intended to question the rights of settlers to remain 'settled' with full citizenship and equality. Nor, finally, does it imply that settler democracies remain essentially colonial in form and content. Two of the three SMiDs (South Africa and Israel) attained formal political independence from imperial centres; all three have experienced forms of internal modernisation that modify classic colonial patterns – they have urbanised and industrialised, national bourgeoisies have established themselves bringing domestic proletariats in tow, and internal markets have expanded.

In Israel, however, the colonial character of the state is perpetuated by ongoing processes of territorial colonisation. A substantial number of Israeli citizens – the 400 000 or so in the West Bank – are settlers plain and simple. They are recent coercive colonisers and their right to stay settled is widely disputed.

Democratic universalism, democratic particularism

Many are familiar with the complexities of the relationship between democracy and nationalism. The diffusion of the two ideas has often proceeded in tandem, conjoined by their shared commitment to collective self-determination. However, the relationship between self-determination and democracy is itself complicated by, among other factors, the basis on which self-determination is claimed. Are those seeking self-determination laying claim to universal human rights or to rights as particular peoples? The American colonists could play a central role in the narrative of global democratic progress because, in addition to asserting their rights as British subjects, they insisted, in 1776, that 'all men are created equal' – thus establishing for their Declaration of Independence a coequal place with the French Revolution's Declaration of the Rights of Man and Citizen as an early inspirational statement of universalistic values. Notwithstanding that America in the 1770s was slave-owning, patriarchal and in other ways anything but a paragon of inclusive democracy (at least by contemporary

standards), these universalistic ideals and existential self-understandings were presumably a factor in the constitution of the USA as a 'civic' rather than an 'ethnic' national state (the same holds true for France). More particularistic understandings of rights – understandings that focused primarily or exclusively on the rights of particular groups rather than the 'rights of man' – were conversely a factor in the establishment of more exclusionary 'ethnic' national states, states in which, as Mann puts it, the *demos* coincides with the *ethnos*.¹⁴

I'm familiar with criticisms of this civic-ethnic distinction¹⁵ – national states, including civic ones, are never ethnoculturally neutral – but the distinction retains some value in helping us discern variations in the ways that western or westernised democratic nation states were constituted and came to imagine themselves. I understand, too, that particularistic and universalistic understandings of self-determination are not inherently contradictory: they can find conceptual common ground in what Walzer terms 'reiterative universalism'¹⁶ – the idea that all peoples are equally entitled to their own (particular) self-determination. Indeed, I shall argue that settler-minority societies found themselves impelled (in some cases increasingly so) to justify themselves to global – or at least global western – publics in precisely such reiteratively universal terms (the clearest example being the phrase 'separate development' in South Africa).

What remains the case is that the settler founders of what became South Africa and Israel sought democratic self-determination in the first instance for particularistic or self-regarding reasons. Ulster settler-descendants did not initially seek autonomy from Britain, but they used it to establish a particularistic state tailored to their own interests and identity needs. In all three cases, settler-descendants wanted to secure their own local dominion, in the South African and Jewish cases freedom to expand; Afrikaners and Jews also wanted freedom from British rule. They further laid claim to rights attached to particularistic identities, whether as Christians, Protestants or Jews, as freedmen, as British subjects or as Europeans. There was an egalitarian impulse behind their rights claims, but the equality claimed was one for settlers, initially male settlers, relative to the colonial metropole and relative to each other. This egalitarianism was the flip side of a claim to collective superiority over natives and 'nonwhites'.

Egalitarianism amongst settler-descendants in all settler democracies (SMiDs and SMaDs) was a relative thing. As in European societies, there were class inequalities and, prior to the twentieth century, property-quali-

fied franchises. In some cases ethnic and regional divisions emerged within settler populations, aggravated by changeovers of colonial patron, fresh waves of immigration, differing economic interests or coincident economic inequalities. Indeed, Anthony Marx suggests that the exclusion of blacks in South Africa and the USA was a requirement for the success of state efforts to secure unity amongst whites wracked by internal divisions.¹⁷

Even so, intra-settler egalitarianism had some basis in economic, social and cultural practice. Settler working and smallholder classes were often in a position to boost their living standards beyond those of their metropolitan counterparts. In doing so they were assisted by a combination of new economic opportunities opened by the dispossession of locals, racial or ethnic job protections and in some cases, notably South Africa, by the availability of cheap non-settler servant labour and the consignment of menial labour to ethnoracial underlings. In some settler colonies such factors also reinforced status or cultural egalitarianism, reflected for example in aspirational individualism and a relative lack of social deference. Settler societies, which invariably started out as democracies for settler *men* only, also became more gender inclusive over time; here they partook of a common western history; indeed two settler democracies, New Zealand and South Australia, led the way globally.¹⁸ SMiDs were not exempt from this trend. In Ulster (as per the United Kingdom) all women were well on the way to being enfranchised by the time of partition,¹⁹ while Israeli women were enfranchised from the outset. In South Africa, the whites-only enfranchisement of women in 1930 was a step in diminishing the relative voting weight of the black men who qualified under the Cape's qualified franchise provisions: a neat illustration of how deepening democratic egalitarianism *within* one population segment can deepen inequality *between* segments.

Why, though, did settler minorities who wanted democracy for themselves not simply establish and defend a formalised race oligarchy, enfranchising their own and disenfranchising others? Oligarchies of this sort were established in the Boer republics of the nineteenth century, in contradistinction to the situation in the relatively liberal Cape. South Africa was an open or formal race oligarchy of this type before apartheid rulers began propagating the fiction of equal but separate political inclusion via ethnic and racial homelands. The fact is that by the 1950s and 1960s, none of the SMiDs would have acknowledged being states based on straightforward ethnic or racial superiority and all insisted that they practised (or, in South Africa's case, were laying the basis for) intergroup political equality.

There are two sets of reasons for this concern to appear inclusive. The first set of reasons was external. The British imperialists were reluctant to sanction crude settler dominance in the colonies and provinces, which is why they insisted on the legal equality of individuals, irrespective of race or ethnicity, in the Cape and Natal colonies and in Ulster. The British did not wish to expend blood and treasure in wars with the natives; abolitionism became part of Britain's self-identity in the nineteenth century and a reformist evangelical lobby exerted some influence in London. In the end, the British sold out the black population when they granted South Africa independence in 1910 under settler rule, although they extracted what amounted to the temporary concession of the Cape franchise. They also abandoned Ulster and Palestine to settler dominance. The British tended to seek protection for natives, or recognition of their rights, via the creation of protectorates (as, for example, in Basutoland, Swaziland, Bechuanaland and South Africa's native reserves) or other forms of territorial fix²⁰ (such as the partition of Ireland and Palestine) rather than insisting on full political equality within settler-dominated polities. The settler-descendants did not always approve of British-imposed or British-proposed territorial fixes, but they would eventually build upon and find advantage in them.

More important was what, after the Second World War, might be called western public opinion. That opinion was shaped by the repudiation of Nazi theories of biological race superiority and by the United Nations' adoption of the Universal Declaration of Human Rights, which in turn laid the ground for global human-rights activism. Another factor shaping western opinion was the commencement, in 1947, of the European decolonisation of Asia and Africa, which occurred with US support. The US civil-rights struggle and the abolition in the 1960s of the segregationist system in the south was also a component of the changing climate of public opinion. All these came into play against the backdrop of the Cold War and the perceived need to prevent the Soviet Union and its allies from discrediting the west as racist and from winning favour with anticolonial liberation movements. The combined effect was to create a climate in the west and within its sphere of influence that was increasingly disapproving of schemes of crude ethnic and racial domination. This disapproval worked against the solidarity felt by white westerners with their settler kin, post-war western sympathy for Jewish aspirations and British patriotic and religious solidarity with Ulster Protestant settlers.

With Britain eclipsed, it was the USA, genealogically a settler democracy itself, that emerged as leader of the 'free world'. Each of the three SMiDs discussed here needed American support: Israel, to ensure military superiority; Ulster, to close down the Irish diaspora's support for Republican guerrilla activity; and apartheid South Africa, to limit its international isolation.

The second set of factors militating against crude ethnoracial domination was internal. Settlers had their own interest in pacifying the growing nationalist resistance of pre-established populations, which meant acknowledging – at least officially – their moral, legal and political equality and buying off the support of at least some of them through schemes that amounted to divide and rule. As settler societies modernised, educated middle-class and business interests emerged that were willing to make concessions on idealistic or instrumental grounds (more on this later).

Further, the more egalitarian institutions and creeds that settlers, especially missionaries, brought to the colonies could not easily be ethnoracially containerised. Some of the terms on which settler minorities claimed superiority – as freedmen, Christians, Englishmen – were vulnerable to leakage: into the realm of freed slaves, Christianised natives and acculturated black Englishmen. These subgroups of indigene and 'non-white' partook of aspects of western 'civilisation' and their exclusion challenged settler commitments to the equality of free men, Christians or of British subjects.

The ancient divine rights of Hebrews/Jews were not vulnerable to leakage in this sense, since the rights and obligations they claimed for themselves were always ethnically particular: orthodox Jewry, which predominates in Israel, does not readily convert others and there would in any case be few takers from amongst the practitioners of Islam, a transcontinental, expansionist religion better able to hold its own before colonial missionaries than, say, African animism. But Jews too, certainly the European Jewish settlers, in many cases saw themselves as part of a European civilisation and felt some moral pressure to acknowledge rights ascribed to all individuals by European ideological traditions like liberalism and socialism, traditions to which many Jews subscribed (and in whose global propagation they were disproportionately influential). True, the Zionist socialist commitment to Jewish labour was shamelessly sectional, comparable to the whites-only definition of the proletariat championed by labour movements in South Africa and Australia. But these local labour

movements themselves faced pressures (from western social democratic parties, unions and the Comintern, for example) to live up to the labour movement's commitment to a global proletarian brotherhood. Some Jewish socialists and liberals explored binational and other concessionary solutions, inspired in part by the biblical injunction that Jews should be a 'light unto the nations'.

Afrikaners and Ulster Protestants could also draw on universalistic impulses of a kind, or at least were challenged by these. Although, like the Jews, they considered themselves in some senses divinely chosen and covenanted to God and (unlike Jews) could draw on Calvinist theories of predestination to justify their selection, their religious commitments pushed in various directions. Afrikaner theologians were drawn to the idea of a curse of Ham (which explained black inferiority), but were also impressed by the biblical allegory of Babel, the lesson of which, as they saw it, was not one of ethnic domination but of the need for the various peoples and nations to govern their own affairs.²¹ Ulster Protestants forged their identity in part as bearers of Protestant liberty in the struggle against Catholic despotism. If this appeared to justify suppressing organised Catholicism, it also raised questions about whether a state of liberty could simultaneously be one that practised crude exclusion of individual Catholics.

South African whites, Israeli Jews and Ulster Protestants thus had to reconcile (i) their concern to preserve settler domination, (ii) their desire for democratic government, (iii) external and internal pressures for ethnic and racial inclusion, and (iv) the fact that non-settlers formed domestic or regional majorities. Reduced to its essence, their problem was one of reconciling minority domination with democracy. How to do this was the settler 'dilemma'.

Solutions to the settler-minority dilemmas

One theoretical option was a property-based franchise. Given the partial coincidence of race/ethnicity with socio-economic inequality, such a system offered a way of excluding poorer non-settlers without falling foul of the requirement of colour blindness. South Africa operated such a system in the Cape Province, although only as an inheritance of the system operative in Britain's Cape Colony; it was abolished for black africans in the 1930s and for coloureds in the 1950s. Ulster Unionists made effective use of a property-based franchise in local government to exclude poorer Catholics. But as a more general solution, property-based franchise had

come to seem increasingly anachronistic, out of line not only with the wider western advance of universal franchise but also with the earlier-discussed status egalitarianism amongst settlers themselves. Afrikaners were, moreover, poorer than their rival English-speaking white settlers; Afrikaner nationalists thus had little to gain from a system that stood to disenfranchise poorer Afrikaners or which gave marginally more racially accommodating Anglophone or part-Anglophone parties an opportunity to appeal to black voters in closely fought Cape constituencies.

In the twentieth century, I suggest, two alternative solutions presented themselves that were deeply unfriendly to pre-established populations but in some ways addressed, or were part of a strategy that addressed, universalistic objections to outright ethnoracial oligarchy: *partition* and *ethnic cleansing*. Indeed, I would suggest that universalism was in some ways a force impelling these 'final solutions'.

Protestant Ulster was partitioned in 1921 from an Ireland that was simultaneously achieving Home Rule under a Catholic majority. With the support of the retreating British colonial power, Protestants in the north of the island set up a 'Protestant state for a Protestant people', albeit as a country within the United Kingdom. The United Nations tried to partition Palestine to secure a Jewish majority state; Arabs refused and armed forces of the Jewish colony, then of Israel, proceeded to partition the British Mandate of Palestine on their own terms, establishing the boundaries of the internationally recognised Israeli state by 1949. From 1913, white South Africa recognised 'native reserves', later known as 'homelands' or, more pejoratively, as 'bantustans'. In the 1970s and 1980s, the apartheid regime tried to establish these as independent ethnic states in which black africans would be granted citizenship, the flip side of their being deprived of South African citizenship.

These partitions assumed different characters. Post-1921 Ulster was the product of a defensive partition, occupying only 16.7 per cent of Ireland and sacrificing a portion of the historic province of Ulster. Israel's was expansive, gobbling up 78 per cent of the British mandate territory. The apartheid regime's partition plan was in territorial terms the most audacious, proposing to secure 87 per cent of South Africa for whites (and perhaps coloureds and indians). Clearly, the bigger the territorial share, the less likely that partition on its own would be sufficient to establish a settler majority.

Thus a simple redrawing of lines was enough to create a Protestant-majority Ulster. But to succeed in their quest for majority, Israeli and

South African settlers required the forced removal or transfer of native populations. Partition plus ethnic cleansing (from 1947 to 1949) did the trick for Israel. A context of civil, and then interstate, war provided Jews with a pretext to cleanse the majority of the pre-established Palestinian population from its own land, thereby establishing the demographic basis for the 'Jewish and democratic' state proclaimed in Israel's Basic Law. Apartheid South Africa tried both partition and racial cleansing but never succeeded in securing a settler majority in 'white' South Africa, perhaps mainly because it was (unlike the other two) a settler order founded upon the large-scale exploitation of native labour. Although apartheid rulers granted work and residence rights to an established urban black minority, they envisaged ultimately reducing the entire black workforce in 'white' South Africa to a combination of long-distance oscillating migrant labourers drawn from bantustan homesteads and short-distance daily commuters from bantustan-based dormitory settlements. This model fell foul of the needs of urban industry for a settled labour force, however. The problem was compounded by the reluctance of industrialists to translocate to areas in, or bordering on, bantustans, and the resistance of blacks themselves who migrated to 'white' South Africa illegally in search of work. The strategy was also frustrated at the legal-constitutional level by the refusal of some bantustan leaders to accept faux independence.

The two cases that succeeded in securing an artificial majority, Ulster and Israel, were left with two kinds of demographic problem. One was that of 'trapped minorities' – that is, the Catholic population abducted into Ulster and the smaller Palestinian minority who managed to hang on within Israel. The former make up today roughly a third of Northern Ireland's population and the latter a fifth of Israel's. Since these groups have, until now, reproduced more rapidly than the majority, they have been perceived as a longer-term demographic threat. Israeli Jews, moreover, fret about the fact that Arabs form a majority in parts of northern Israel.

The trapped minority problem is compounded by the external rejectionist-majority problem. Between 1937 and 1999, the Republic of Ireland laid formal claim to Northern Ireland. Meanwhile, Palestinians on the West Bank, in Gaza and those in exile insisted on a 'right of return' to Israel, or at least many of them did. Since Protestant unionists stood to be an outnumbered minority in a reunified Ireland and Jews to be an outnumbered minority if the refugees returned, the settler states unsurprisingly regarded such notions as fundamental existential threats. The

presence of these external threats in turn made the trapped minorities, who had obvious ethnonational affinities with these outside populations, seem like potential fifth columns.

Remarkably, Israel proceeded to 'unsolve' its demographic problem by occupying the West Bank and Gaza in 1967, thus drawing these territories into a single Israeli 'control system'.²² Despite burgeoning Israeli settlement, Jews are still massively outnumbered by Palestinians in the Occupied Palestinian Territory (400 000-plus settlers compared to over three million Arabs) and are in some danger of being outnumbered eventually within the control system as a whole. Israel refuses to either annex the whole of the Occupied Territory or to relinquish it, preferring instead to maintain the present colonial or segregationist solution in which West Bank and Gaza Palestinians are confined to exercising self-government within discontinuous enclaves, which may or may not go on to become independent statelets. In the meantime, Israel proper can remain a Jewish majority state, since the Arab-majority territories are *de facto* but not *de jure* part of Israel. But Israel no longer has the 'neat' solution to its demographic problem that it had from 1949 to 1967. Prioritising colonial expansion and national-religious redemption over the ideal of a 'Jewish and democratic state', it has reabsorbed part of its Arab problem and, without further mass expulsion of Arabs (this time from the Occupied Territory), Israel cannot solve it on formally democratic terms. The Israeli control system is thus condemned to be a democracy for some and a dictatorship for others, its ethnic oligarchy beset by permanent demographic panic.

Justifying the solutions to western publics

For Ulster and Israel the problem of international justification boiled down to persuading international, especially western, publics to ratify partition; in the case of Israel, ethnic cleansing too. South African apartheid ideologues faced an additional problem: persuading the world – in the first instance, the West – to accept the channelling of black-african citizenship into apartheid-generated states.

Israel had the greatest success in marketing terms, as witnessed by the perception of it in the West as a plucky democracy besieged by aggressive dictatorships bent on its annihilation. Israel 'sold itself' as a normal democratic state that had enfranchised and granted formal equality to its Arab minority. It could plausibly present itself as a majority-ruled democracy, thanks to the preponderance of Jewish citizens; few chose to look

too closely at the second-class citizenship of the internal minority. It portrayed the flight of Palestinian refugees as a consequence of Arab aggression and rejectionism and subsequent calls for Palestinian return as a form of national irredentism. It also portrayed the cleansing of Palestinians as part of a population swap with Jews from Arab countries, akin, perhaps, to the nearly simultaneous population exchange between India and Pakistan. Population transfers were, after all, quite common during and after the Second World War (in addition to India and Pakistan, there was the relocation of nationalities in the USSR and the expulsion of Germans from post-war central Europe). The Holocaust also enabled Israel to present the creation of a Jewish homeland as the solution to the longstanding problem of the persecution of Jews in Europe and Arab nationalists as baton-carriers for the defeated Nazis. Israel benefited from the presence in the USA of an extraordinarily powerful pro-Israel lobby, led by rightwing orthodox Jews and Christian Evangelicals, and from the perception of it by sections of the US establishment as a strategic barrier to leftist and later Islamist influence. Israel furthermore generated strong cultural resonances in American society. Subliminally, I propose, some (especially conservative) Americans perceived Israelis as like them, or like who they were: virile settler pioneers implanting democracy and economic progress on a hostile civilisational frontier, forced to defend themselves against predatory natives who threatened their homesteads and failed to make deserts bloom. Israel's initially socialist character appealed to many on the western left, which romanticised Kibbutzim. For many liberals, Israel stands out even now as the one Middle Eastern country that grants some recognition to the rights of women and gays in a region suffused with patriarchal heterosexist norms and reactionary piety. Israel could touch many audiences.

Western support for apartheid South Africa was more covert, conditional and embarrassed. The apartheid regime did try to pitch a case that westerners could understand. It portrayed itself as an anti-communist bulwark. It argued that it was steering its black population down the road of national self-determination within their own separate ethnic territories. It had the advantage that quite a few westerners saw white South Africans as racially their own, under threat from black bearers of violence, communism and civilisational regress. The disastrous records of most independent sub-Saharan states lent some credence to this narrative. And the apartheid narrative found resonance amongst western conservatives. In the end, however, it battled to make itself heard in a post-imperial Europe

and in a post-war USA that repudiated (not without resistance) the segregationist 'separate-but-equal' ideal. Institutionalised racial discrimination was a hard sell. South African whites lacked a strong dedicated lobby in the west; the anti-apartheid cause had on its side an ANC external mission that lobbied effectively in Scandinavia and Britain, an anti-apartheid movement that mobilised the young and African-American support in the USA. For many white westerners, their white South African kith and kin began to be an embarrassment.

Ulster too struggled to justify itself to the world after the civil rights struggle began there at the end of the 1960s. Its rulers argued that they represented ordinary majoritarian democracy; that they defended a culture in danger of extinction in a united Ireland; that they faced terrorism, some of it leftist-inspired. But this did not sell well: while the terrorism of the Irish Republican Army was condemned in Britain and much of the West, the need to oppose it did not seem reason enough, in the eyes of most western governments and educated publics, to support a crude ethnic majoritarianism that discriminated against Catholics in housing and employment and reinforced itself with gerrymandering. Other than in Northern Ireland and perhaps Glasgow, Europe's great Catholic-Protestant religious wars had ended and there was little by way of a global Protestant constituency for Ulster. The Republicans retained a constituency in the USA, however, amongst relatively recent (compared to the Protestant Scots-Irish) Catholic Irish immigrants who retained folk memories of the injustices of British domination culminating in the Potato Famine. The American Protestant nativism that Irish immigrants encountered – and which might have backed Ulster – had largely faded by the middle of the twentieth century.

Having said that, Britain and the West were persuaded to endorse the original act of partition itself and to seek redress for the Catholic minority through consociationalism and equality legislation. A part of the Ulster case succeeded.

The success of the Israeli narrative compared to that of Northern Ireland and South Africa has proved highly consequential for the Middle East and the world. First, while the Israel-as-plucky-democracy narrative sold in the West, the Zionism as settler-colonialism narrative resonated in an Arab and Muslim world horrified by the displacement of Palestinians, the continuing confiscation of Arab land, the repressive military occupation, the humiliation of Arab armies and the brutal displays of Israeli armed

might. These rival narratives formed the basis of what Samuel Huntington termed 'civilisation rallying'²³ (with the West rallying to the Israeli side and the Arab-Muslim world to the Palestinian one) and even of an incipient 'clash of civilisations'. We are seeing that possibility being played out in the post-9/11 world. Although Muslim anti-western rallying has been fuelled by many grievances – against Serbian and Croat aggression in Bosnia, western invasions of Iraq and Afghanistan, western support for assorted Middle Eastern despots – there can be no doubt that the Israel-Palestine conflict remains a major driver.

Second, unconditional western and especially US support for Israel has had the effect of freezing the conflict there. Various parties in the West could 'deliver' Afrikaner nationalists in South Africa and the Ulster Unionists to the negotiating table. So far, the USA has not been determined to deliver Israel.

Third, the essential success of the Israeli narrative has enabled Israel to pursue, under its legitimating cover, a crudely racist course, engaging in an ongoing nineteenth-century-style colonial land grab under twenty-first century western noses.

Contradictory effects of universalist self-justification

Still, the requirement that it justify its democratic status to western publics in universalist terms creates ever deepening challenges for Israel. With the country militarily dominant, indeed a regional superpower, Israel now finds itself drawn increasingly into a struggle for legitimization. Israel's obvious military superiority and its brazen colonisation of land beyond the Green Line sit uneasily with the state's David-versus-Goliath narrative and, notwithstanding government, media and other support for Israel in the West, especially in the USA, a growing civil society movement is keen to point this out and is achieving moderate success in doing so.

As the struggle over Israel-Palestine shifts from being kinetic to one over meaning and legitimacy, from a hard to soft power terrain, Israel enjoys fewer advantages. If Israel commands the field of physical force, it has difficulties winning the moral struggle. In this struggle, the weak potentially have greater weapons than the strong. Military might counts for a lot – it still has a way of creating facts that compel assent; witness the very widespread recognition of Israel within its 1967 borders – but its reach is not what it used to be. Israel's vulnerability to what it terms the 'campaign of delegitimation' is underscored by its hypersensitive reac-

tion to the Goldstone Commission report into war crimes perpetrated by Israel and Hamas before and during Israel's 2008-2009 military operation in Gaza known as Operation Cast Lead. Im Tirtzu's mobilisation against left-leaning social-science academics in Israel is another sign.²⁴

Israel needs legitimacy on multiple fronts. First, its leaders desire it as a psycho-existential matter. Rulers need their moral claims to be validated by members of the worldwide community they belong to – in Israel's case, the West. Second, it needs western validation for a more instrumental reason: to maintain financial, military and diplomatic support. Third, Israel needs domestic legitimacy, both amongst Palestinians and in its ruling elite, in order to underwrite the long-term stability of the state.

Israel's employment of a universalistic line of defence has potentially contradictory effects. Universalism establishes a standard that, in a more cosmopolitan world, Israel's style of particularistic ethnonationalism struggles to satisfy. This affects not only external publics; sections of the Israeli elite notice it too. Those who have bought into an idealistic Zionism may experience growing disillusionment as they confront Zionist reality.²⁵ Meanwhile the audience for universalism grows with the enlargement of a middle class open to deals with Palestinians on idealistic and instrumental grounds. Idealists include workers for human rights and NGOs; instrumentalists include businesspeople keen on Israel's regional integration. From their ranks spring Israel's new cosmopolitans. (Admittedly, there are sociological counter-trends in Israeli society: the growing numbers of ultra-orthodox religious Jews, for example.)

In elite terms there could develop a parallel with dynamics that helped to undercut apartheid. In South Africa, sections of the Afrikaner elite initially believed in an idealistic version of apartheid, above all in the idea that different 'national' groups could come to determine their own affairs on a separate-but-equal basis. Elite members of such disposition were disillusioned by three developments that underscored apartheid's true essence as white 'baaskap': the failure of the government to plough resources into the reserves on the scale suggested by the 1956 Tomlinson Commission; the failure to find a formula for consolidating discontinuous black homelands; and, finally, in the government's inability to accommodate coloureds (who lacked a recognisable territory of their own) in the homeland scheme. Some Afrikaners reacted to these facts by turning to reformism; a few disowned Afrikaner nationalism altogether.²⁶

Israel's need for universalist justification, indeed its self image as a democracy, may also limit the extent of the violence it can perpetrate. This may seem incredible in the light of, say, Operation Cast Lead in Gaza, but it is worth bearing in mind that none of the three SMiDs discussed carried out a genocide. (Some of their settler forebears arguably did, in the South Africa and Ulster cases.) Even another full scale ethnic cleansing would be difficult for Israel to pull off, unless major Palestinian atrocities provided Israel with a plausible pretext.

Which poses the question: do actors in Palestinian politics, especially its radical actors, grasp that the struggle against Israeli expansionism is now, above all, a struggle for legitimacy rather than one of brute force? The first intifada, with its imagery of stones versus tanks, seemed premised on just such an understanding; the second, with its suicide terrorism, did not. The first gained legitimacy for the struggle against Israeli domination and expansionism; the second delegitimated the Palestinian struggle in the eyes of many potential sympathisers and revalorised Israel's narrative of a besieged western democracy confronting callous and implacable foes. International reaction to Operation Cast Lead and to the May 2010 flotilla incident (Israel's violent interdiction of a Turkish ship carrying relief supplies to Gaza), have Israel on the defensive again. It is to be hoped that the next wave of Palestinian resistance will preserve this moral advantage by waging a campaign of nonviolent civil disobedience and protest – the sort that resonates with crucial western publics – rather than one of terrorism. There are some signs that sections of the Palestinian leadership recognise the importance of this.²⁷

Democracy as moral progress?

The extension and consolidation of liberal democracy is rightly thought in much of the world to constitute moral progress, and Israel – a liberal democracy of sorts within the Green Line – points to this in its struggle for legitimacy amongst western publics. Indeed, the fact that Israel is internally a democracy seems, in many western eyes, to legitimate or at least mitigate its policies in the West Bank and Gaza.

Any defensible model of democracy must respect basic liberal-democratic tenets: government based on the freely given consent of citizens; freedom of expression, association and political choice; direct election of lawmakers by universal suffrage; and guaranteed protection for individuals against majority incursion. But while liberal-democratic orders have

shown themselves more likely to respect the rights of their citizens than any other political model yet devised or tried, its record is more complicated when it comes to their encounter with external states, movements and peoples, especially ethnoracially different ones. Competition with others for territory or ethnoracial dominance is liable to activate the dark side of liberal-democratic nation states. The democratic people, which in the nation-state era is a territory-claiming people and often doubles as an ethnic nation, may seek to expand its jurisdictional space at the expense of those they designate as not part of themselves. Democratic self-government definitionally poses the question of the identity of the democratic self, for whom its valued features are reserved; the outsider is its non-self, the object but never the subject of its deliberations. And when a democracy's policy towards its outside or other is subject to internal political competition, the competitive mechanism itself may encourage factions to seek electoral favour via 'jingoist' policies of external aggression or aggrandisement. Politicians can appeal to voters on grounds of self-defence, the restoration of national honour or the pursuit of national glory, exploiting incidents like border skirmishes or terrorist attacks to stir nationalist passions and portraying more pacific opponents as weak or emasculated.

This should not be construed as a claim that democracies are nastier than dictatorships to ethnoracial outsiders. In the twentieth century at least, it was dictatorships that carried out the most horrendous ethnic massacres at home and abroad: Wilhelmine and Nazi Germany, the Ottomans under the Young Turks, Soviet Russia, Cambodia under the Khmers. Mann can plausibly indict democracy for the last century's murderous ethnic cleansing only by drawing on an expansive definition of democracy that encompasses all states claiming to embody or advance the interests of organically conceived peoples. But as he himself notes, the worst ethnic and social cleansers amongst these have assumed a dictatorial political-institutional form.²⁸

Even so, there are clearly situations where democracy contributed directly to ethnic cleansing – at the outset of the breakup of Yugoslavia, for example. There is plenty of evidence for the way competitive elections galvanise ethnic killings in divided societies (sub-Saharan Africa is replete with instances). As Mann has shown, democracy's ethnic-cleansing proclivities are most acutely present in *settler* democracies. It is typically among settlers, especially frontier settlers (those well removed from the colonies' more scrupulous and law-bound established urban centres), that

the appetite for aggression towards ethnonational others – particularly over territory – is largest. And it is most acutely present when the definition and jurisdiction of the demos has not yet been resolved, as is the case in Israel.

Two factors among others enable democracies to become less threatening towards their immediate ‘outside’. One is the fixing of their borders, whether by historical conquest and resistance, diplomatic processes or international law. The other is the fixing of the population subject to their jurisdiction. The ‘problem’ in the case of SMiDs is that these states remain suspended in a kind of frontier mode. Demographic fears, combined in Israel’s case with a still unsatiated greed for territory, prevent the fixing of boundaries and populations. Until these are fixed, the threatening ‘outside’ remains present, a constant rival for territory, power or both; and an internal democratic constituency for external hawkishness and expansion has room to thrive.

That Israel’s policies towards Palestine are sanctioned by a democratic vote amongst the Israeli electorate is considered by many to lend them a kind of moral immunity; thus if an American president pressures an Israeli prime minister to make concessions to Palestinians that have not been mandated by Israeli voters, he is typically accused by the right of disrespecting Israeli democracy. Here, however, I am reminded of an observation by the Palestinian-Israeli Knesset member, MK Ahmed Tibi, who argued that Israel’s democratic-ness in some ways renders its oppression of Palestinians more disturbing.²⁹ It means that it is not just an Israeli elite doing what Israel is doing to the Palestinians, but the Israeli people – well, strictly speaking, a majority of them. Democracy can turn peoples into collective tyrants. If democracy allows citizens to exercise moral responsibility, then it implicates wider citizen bodies in what democratic states do – or at least it does if the democracy is responsive to the will of the citizen majority which, on the Palestinian issue at least, Israeli democracy sadly is.

Another way to think about Israel’s ‘at least we’re democratic’ defence is that it implies that democratic rule over oneself legitimates nondemocratic rule over others. In effect, democracy legitimates dictatorship.

This chapter has shown that Israel’s democratic characteristics, such as they are, do not distinguish it from some of the countries with which it hates to be compared, most obviously South Africa under apartheid. The Israel-apartheid analogy has its strengths and weaknesses, but reference

to Israel's democratic nature cannot save Israel from the analogy's force. Both Israel and apartheid South Africa enfranchised settlers and a minority of non-settlers; both subjected their oppressed racial or ethnic groups to differentiated forms of inclusion and exclusion, ranging from second-class citizenship in economic heartlands to crude exclusion from citizenship in segregated-off peripheries.³⁰

It might at least be supposed that Israeli democracy is a step in the right direction; that having a democratic state in the Middle East, of whatever sort, is better than having a region of wall-to-wall dictatorship. Amongst other benefits, it might be supposed, Israeli democracy establishes a starting point from which efforts to create a more inclusive democracy can depart.

I do not want to dismiss this supposition out of hand; it needs unpacking. The biggest problem it confronts is that Israeli democracy itself, like Ulster and pre-1994 South African democracy, renders more difficult the resolution of the national-territorial question – the *demos* definition question – that, if I am right, is a precondition of democratic stability and peaceful relations amongst peoples. In Northern Ireland, voters reacted to concessions granted to the other side by strengthening the hands of the Unionist and Republican hardliners; in Israel, they have reacted to Palestinian resistance by bolstering the right; in South Africa white voters were probably well on the way to voting the reactionary Conservative Party into power to replace the reforming Nationalists. As noted earlier, democracy may generate a dynamic of competitive hawkishness. Reasonably just political settlements were made possible in South Africa and Northern Ireland only because, in the first case, President FW De Klerk abolished elections and, in effect, tricked the white electorate into giving him a referendum mandate for negotiations with the ANC; and in the latter, because the metropolitan power, Britain, was in a position first to impose direct rule on Northern Ireland in the 1970s and later to pressure the Unionists into compromising with Republicans.

An argument can be made that the longer-term pacification of intractable ethnic conflicts and the stabilisation of democracy sometimes requires a period of temporary reformist intervention by authoritarian forces that can escape the democratic game in order to initiate inclusive negotiations that clarify the memberships and territorial jurisdictions of rival *demos* – to, as it were, solve democracy's 'national question' just so that democracies can 'normalise'. This is exactly the role de Klerk and

Britain played in South Africa and Ulster respectively. These interventionist forces can be seen as operating in a state of exception that enables them to lead a process of liberal-democratic refoundation. I acknowledge this with the greatest circumspection and only for the very limited number of cases where the basic definition of the people and its territory is subject to longstanding and bloody dispute. The employment of this logic in any other instance opens the way to the authoritarian interruption and cancellation of democratic life.

A further argument can be made that Israeli 'democratic' behaviour is an obstacle to the wider liberalisation and democratisation of the Middle East. The association of liberalism and democracy with Israel and its patron, the USA, does much to discredit the democratic cause in the wider region. It complicates the efforts of liberal and secular reformers to build a popular base. It provides fertile ground for antidemocratic extremism. And it encourages the west to back Arab dictators who are willing to clamp down on the 'Arab street'.

We should not forget the ways in which the non-resolution of the territorial-national question refracts back on the quality of settler democracy itself. Those who treat Israel as an admirable democratic outpost ignore the obviously hierarchical ethnic ranking of its citizens in material, symbolic and other terms. Political and other inequalities are built into the very structure of settler-minority democracy. So is the partial transformation of the settler state into a security state, one which, in Israel, is heavily shaped by military men and always obsessed with threats. Outright repression – detentions, censorship, bans, firing on crowds – is routinely required in such societies to contain popular dissent. The same hierarchically ordered citizenship and repressive rule was evident also in apartheid South Africa and Ulster (with Britain the repressive enforcer in the latter case). For its Palestinian minority, Israeli democracy is experienced as crude majoritarian domination, just as Ulster was for Catholics. Black South Africans, of course, experienced white rule as an outright dictatorship. So do Palestinians in the occupied territories, for whom Israel is present only as a military dictatorship, not as a democracy of any kind.

Notwithstanding all this, I do not want to dismiss out of hand the notion that settler-minority democracy constitutes a form of moral and democratic progress in certain limited respects. This is a difficult matter and I step gingerly here. Let us start by acknowledging that settler democracies, even settler-minority democracies, are not a sham; it is not correct

to characterise the Israeli state as fascist, nor was it correct to characterise apartheid in those terms. In both countries there were fascist temptations and fascist-influenced movements amongst the settlers (think of the Ossewa Brandwag or the way the Jewish 'revisionists' were impressed by European rightwing militias). But successive governments were (in Israel's case are) chosen in unrigged competitive elections. Although harassed, the media, universities, the courts and other institutions enjoyed under apartheid, and enjoy in Israel now, a besieged autonomy; spaces exist(ed) for various forms of above-ground legal opposition. Critics, such as Yiftachel, claim that Israel is an ethnocracy rather than a democracy,³¹ but many democracies are ethnocratic or otherwise exclusionary to various degrees (although SMiDs are more so than most). The struggle for fully inclusive democracy goes on worldwide. The existence of citizenship hierarchies and of exclusions does not obviate the fact that sections of the SMiD citizen body – the settler descendants – enjoy full democratic rights, a fact that needs to be explained and which, at a minimum, distinguishes these states from dictatorships. As we have seen, some of what is bad about settler democracies flows precisely from their democratic (for example, electoral) dynamics.

Nor could these autonomies and spaces easily be confined to settler 'citizens' while being denied to indigenous 'subjects'. In South Africa, newspapers, including liberal-inclined ones, were read across colour lines. Courts and liberal parliamentarians could intervene in ameliorative ways on behalf of blacks. Black students discussed Marxism in university seminar rooms. Predominantly black oppositional organisations, like the trade unions, acquired organisational rights in the 1980s that they never lost, at least in the industrial sphere. Churches (some black-run, others multiracialising) enjoyed real latitude to speak up in defence of their black members and devotees. A 'black' civil society began to emerge which state repression could not fully crush.

Moreover, institutions that defended their besieged autonomy against state harassment acquired habits of independence and sometimes societal roots that serve the current South African democracy in good stead and will be especially needed as it comes under attack from a government bent on launching a media and informational clampdown. Again, these include newspapers, universities and courts but also elements of progressive 'civil society' such as trade unions and civic organisations.

This raises the question of whether settler democracies can serve as democratic vectors. It is easier to see how SMaDs could and did play this role, becoming global democratic pioneers in cases like nineteenth century USA and New Zealand. Although the USA, Canada and Australia discriminated against minorities, their role in promoting democracy for ordinary white citizens made them look like a vanguard in the nineteenth century, when the franchise in emerging parliamentary polities was commonly confined to male property owners.

SMiDs had little by way of the regional legitimacy or evangelical democracy-promoting proclivity that could have enabled, say, apartheid South Africa or Israel now to be agents of democratisation in their regions. Still, it is possible that the democratic habits acquired by various institutions and forces in South Africa are contributing to the country's (now admittedly threatened) capacity to play a role today as a sub-Saharan democratic exemplar. There is reason to hope that Israel's more liberal and democratic features will survive a just settlement and even serve as a baseline standard for the polity or polities constructed in the wake of such a settlement. A post-settlement democratic Palestine may even exert an influence beyond into the region, once democratic and liberal values have been freed from their association with Zionist colonisation and US imperialism. There is no certainty of this, of course, not least because culturally authoritarian religious forces have made their own advances in both Israeli and Arab societies, advances that will not be reversed on the morning after a just settlement is achieved.

Settler-minority democracy and inclusive democracy

An open question: does the fuller inclusionary development of democracy require that settler-minority polities be dismantled? They must obviously become inclusive internally in order to be minimally legitimate; but are they required to abandon the demoi and borders that underpin settler dominance, submitting to the indigenous majorities and dissolving into the larger territories that they sought to escape as a condition of their foundation?

In South Africa the settler democracy was doubly abolished. The reserves or homelands were reabsorbed into a unitary South Africa and suffrage was universalised (at least amongst citizens and former citizens). Thus the settler descendants lost their state *and* their political power. It was generally agreed that there was no alternative to this, given the failure

of white people to engineer a majority for themselves or to secure economic autonomy.

Ireland remains partitioned, a tribute to the success of settler descendants in establishing both a majority in their statelet and a Protestant employer class that is able to survive without large-scale exploitation of Catholic workers. Whether Northern Ireland is still the polity that Republicans/nationalists fought against is however controversial; it remains a six-county state but its post-1998 power-sharing Constitution fundamentally challenges its character as a Protestant-supremacist polity. It has secured its own demos: both sides have accepted that all-Ireland reunification cannot occur without the separate consent of demoi on both sides of the partition-created border.

Although apartheid and Ulster turned out differently, with white South Africans losing more than Ulster Protestants, each of the above political-constitutional solutions can reasonably be regarded as just. Justice in Ulster has meant not reversing the 'original sin' of partition, but attractively just solutions need not undo all that power has wrought – where would one stop unravelling power's effects in a long human history of shifting populations and borders? There are many requirements of justice to be addressed other than that of completely undoing the single overarching historical injustice that governs the nationalist narratives of the oppressed. Thus, for example, the imperatives of redress-through-reversal compete with those of establishing equality and intergroup comity among current and future generations. And there are, besides the requirements of justice, those of, for example, compassion and humanitarian obligation, requirements that disallow, for example, the expulsion of settler-descendants.

For Israel-Palestine the question is what compromises are required of the contending side to facilitate an acceptably just, yet realistically obtainable, peace. Does Israel need to give way to a binational or secular-democratic state that reverses the effects of partition and ethnic cleansing, as did apartheid South Africa? The vast majority of Jews are totally unreconciled to such a solution, which would entail Jews abandoning their ideal of a Jewish homeland and foregoing the military power they regard as vital to their security as a historically persecuted people. At the same time, Israel's deep and ongoing colonisation of the occupied territories is rendering the alternative two-state solution – if you like, the Northern Ireland solution – much more difficult to realise. It is hard to see either Israel forcibly removing its West Bank settlers or the settlers agreeing to become citizens of Palestine

(even if Palestinians agreed to this). The two-state solution also leaves unanswered the questions of the rights of Palestinian Israeli citizens and of Palestinian refugees living in the wider region. The result is, for now, an impasse. It is tempting to believe that, alone amongst the settler-minority democracies, the Israeli-Palestinian case is truly irresolvable. Yet a way will have to be found. It is, at any rate, clear what the minimum practical justice requires: equal respect and rights for all Jewish and Arab residents in the area of the British Mandate, and for Palestinian refugees.

Notes

1. On covenants, see Akesson (1992), on ethnoracial labour regimes, see Greenberg (1980) and on examples of ethnic conflict, see Adam and Moodley (2005).
2. Mann (2005).
3. Admittedly, local government elections in Ulster were distorted by egregious gerrymandering of ward boundaries.
4. In South Africa this process of universalisation was never completed. It advanced in two stages. The Bantu Homelands Citizenship Act of 1970 envisaged all black africans becoming citizens of independent ethnic homelands, while the universalisation of franchise for the remainder (albeit not on a common voters' roll) was achieved with the 1984 'tri-cameral' constitution, which enfranchised coloureds and indians. However, only four out of ten african ethnic homelands took up the offer of nominal independence: Transkei (1976), Bophutatswana (1977), Venda (1979) and Ciskei (1981), so that black africans remained a *de jure* and *de facto* majority in 'white' (or white, coloured and indian) South Africa.
5. Mann (2005: 70–110).
6. In Ireland's case the dominated were European too, although the British viewed the Gaelic-Catholic natives as barbaric rather than as fellow participants in Christian civilisation. Ireland was systematically settled in conjunction with the English settlement of North America. In Israel's case, the dominant include people of Middle Eastern origin, although the colonial enterprise was essentially European-sponsored and the initial settlers were European Jews, joined later by Jewish immigrants and refugees from Arab lands.
7. Ulster is a complicated case because the settler-descendants there preferred individual civil and political rights within the United Kingdom (of which Ireland formally became part in 1800) to the Home Rule offered

to them in 1920. Prior to Union, Ireland had enjoyed a parliament of its own, one that was granted considerable autonomy in 1783 but which was abolished with the Act of Union. The Protestants accepted this loss of power (they had controlled the Dublin parliament) as the price of British guarantees of Protestant privilege in the UK and developed a strong loyalty to the Crown. Most subsequently came to see Home Rule for Ireland as a slippery slope to detachment from the UK.

8. Mann (2005: 90).
9. New Caledonia acquired self-government only in the late 1980s. Like their Ulster counterparts, the most conservative settler elements initially opposed self-government. They succeeded in reducing the local Territorial Assembly, established in 1957, to purely consultative status. Indeed the high level of direct French metropolitan control over the island state until relatively recently qualifies New Caledonia as a newcomer to settler-democracy status. In a manner comparable to Ulster, politics is dominated by competition between supporters of continued union with the metropolitan power (primarily settlers) and advocates of independence (primarily indigenous Melanesian Kanaks). White dominance in New Caledonia's democratic local institutions finds a demographic basis in the early colonial-era decline in Kanak numbers, resulting from exposure to European-introduced diseases and in large-scale French immigration. However, whites remain a minority and rely on the support of pro-French loyalists from various population groups, including immigrant Polynesians.
10. A number of possible reasons for Latin America's authoritarianism have been debated (see, for example, Munck 2008). Earlier settlers in many cases carried over into the New World the Old's hierarchical tendencies, preventing the emergence in settler society of sufficient cross-class egalitarianism to enable democracy to bed down. (The early formal incorporation of non-Europeans into the citizen body may have paradoxically aggravated status inequality amongst citizens.) Citizens are often integrated into the political system through personalised patron-client relationships. Dominant settler elites were long divided on agrarian-oligarchy versus industrial and middle-class lines, a source until relatively recently of destabilising political antagonisms. Presidentialist systems are arguably vulnerable to authoritarian-populist appropriation while militaries have often set themselves up as national guardians. The regionally influential Catholic Church, suspicious of democracy until late in the day, often sided with authoritarian forces; it may have contributed to a deferential conformism, in contrast to Protestant individualism.

11. Mann (2005).
12. Dutch, German and French Huguenot settlers began arriving in South Africa from 1652, later congealing into the 'Afrikaner' population. A fresh wave of Europeans, mainly British, settled South Africa in the early 1800s, forming the demographic nucleus of South Africa's white Anglo-phone population. Anglo-Norman or English lords ruled Ireland from 1250, although many of them and subsequent English settlers went 'native', remaining Catholic after the Reformation; the large-scale 'plantation' of the Scottish forebears of the Ulster Protestant population began in 1609, with smaller-scale precursors in the 1570s and 1580s.
13. There is debate about the extent of biological or 'racial' continuity between modern Jews and the Hebrews/Israelites who enjoyed earlier statehood in parts of what is today Palestine. Claims for continuity are complicated by the first-millennium mass conversion to Judaism of populations originating outside Palestine and by the possibility that some descendants of the original Jews converted to Islam *in situ*, perhaps becoming forebears to modern Palestinians. On the other hand, genetic evidence does suggest a common (albeit subsequently diluted) Middle Eastern origin for all but Ethiopian and Indian Jews. There was, moreover, a small Jewish community already in Palestine prior to modern Jewish colonisation. See Sand (2009) and N Wade, 'Studies show Jews' genetic similarity.' *The New York Times*, 10 June 2010 (A14).
14. Mann (2005: 3).
15. See, for example, Kymlicka (2001).
16. Walzer (1989).
17. Marx (1998).
18. New Zealand became the first self-governing polity to enfranchise women without qualification in 1893, although it did not allow women to run for the legislature until 1939. The colony of South Australia (also a settler democracy) followed New Zealand's example in 1895.
19. Ulster was partitioned two years after women over the age of thirty acquired the vote in the United Kingdom, of which the Northern Ireland remained part; in 1928 UK women received the vote on the same basis as men.
20. The term 'territorial fix' is borrowed from geographical theorists such as Allen and Cochrane (2007).
21. Norval (1996: 68–69, 147–149).

22. Kimmerling (1989).
23. Huntington (1997: 272–291).
24. Im Tirtzu is an Israeli-based extra-parliamentary organisation that seeks to strengthen adherence to Zionist values in Israel. One of its main aims is to counter what it perceives to be post-Zionist and anti-Zionist trends in Israeli universities.
25. Many Zionist intellectuals both in Israel and the so-called Jewish diaspora have already travelled the road of disillusionment, whether with Israel or with its practical expression in Israel. The biographies of some of them (for example, IF Stone, Uri Avnery and Tony Judt) can be found in Schatz (2004).
26. See Lazar (2001).
27. See, for example, Jack Khoury, 'Fatah officials warn of third Palestinian intifada.' *Haaretz.com*, 20 November 2009. <http://www.haaretz.com/news/fatah-officials-warn-of-third-palestinian-intifada-1.3740>.
28. Mann (2005).
29. This comment was made at a public talk attended by the author in Glasgow ca. 2003.
30. Adam & Moodley (2005), Glaser (2003), Yiftachel (2009).
31. Yiftachel (2006).

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Chapter Eleven

Reflections on South Africa and Israel/ Palestine¹

Adam Habib

In his discussion on whether there are similarities between Israel, Northern Ireland and South Africa, Daryl Glaser assumes the terminology of the minority settler democracy and makes a fairly persuasive case as to why this is an appropriate lens through which to view and understand all three contexts. In making his case, Glaser focuses on the nature and characteristics of settlers in these particular socio-political formations. He notes that minority settler democracies are a subset of broader settler democracies, of which the United States and Australia are prime examples. The difference is that settlers in Australia and the United States became majorities through processes of exterminating or, at least, killing significant numbers of the indigenous populations. Whether by design or by default, this, in effect, made it possible for the settlers to become majorities in these societies. South Africa stands out in this regard because the settlers' failure to exterminate the indigenous population left the settlers as a minority in society.

In Northern Ireland, extermination was not a viable option (in the twentieth century anyway), so the objective of becoming the majority was achieved through the policy of partition. Israel attempted a similar experiment using a combination of immigration policies and its two-state solution. Yet, perhaps because of the transient and fluid nature of the Northern Irish and Israeli polities, Glaser holds that all three socio-political formations can be conceived of as a sub-category of 'settler minority democracies'.

Glaser also makes the case that a sense (or pretence) of intra-settler egalitarianism defined and brought these settler communities together. He points out, however, that, in reality, the internal character of these communities was defined by inequality. As a result, they maintain a pretence of being democracies, driven in part by their need to see themselves as part of western 'civilisation'. They, therefore, continually espouse notions of rights and democracy, at least internally. Ultimately, however, Glaser notes that what truly drives these societies is nationalism

and, in the Zionist case, identity. In extrapolating this, Glaser focuses on two distinct stakeholders: the settlers and their opposition. But while he touches on the opposition, Glaser does not discuss them to the same extent as he does the settlers. I believe, however, that there is a story that needs to be told here: the story of the similarities and differences between the opposition movements in South Africa, Northern Ireland and Israel.

If we want to understand Israel in terms of South Africa and Northern Ireland, we need to reflect on the struggle over the definition of the victim in each case. The struggle for self-definition happens within both the opposition and the settler communities. In South Africa's anti-apartheid tradition, there was a view that tried to define the victim, the african, in narrow terms. But there were other traditions that defined the victim in a more universalistic sense. This gave rise to a long-standing tension within the liberation movement in South Africa and, it seems to me, there is a similar fault line inside the Palestinian cause. The question that needs intellectual exploration is why, in the South African context, did the universalistic tradition emerge as the more successful one? Why did the mainstream liberation movement in South Africa begin to define itself primarily in universalistic terms and why has this not happened in Palestine to the same extent?

If we reflect back a number of decades, universalistic traditions were, in certain respects, more dominant in the Palestinian liberation movement than in the South African one. Yet, in the contemporary period, the Palestinian movement's more particularistic traditions have emerged in a much more dramatic way than they did in South Africa. What is it about the global environment and political context that led to such different outcomes in each context? This is a central question and it overlaps, in part, with the question that Glaser posed: Why was there a shift from the universalistic traditions of the first intifada, to the suicide bombings of the second?

The answer, I believe, lies in the international community, which, by turning away from the Palestinian movement, weakened the universalistic traditions within the movement and, as a corollary, enabled the emergence and strengthening of particularistic identities.

But why has Israel been more successful than apartheid South Africa in marketing itself? First, as Glaser points out, the Holocaust played a significant role. Second, I would argue, the United States plays a key role in defending Israel. Although the USA defended apartheid to the international

community for a long time, what is it that allows it to continue to defend Israel in a way that it could not sustain with regard to South Africa?

Here the issues of race and religion emerge. In the South African context, race was the defining fault line whereas, in the Israeli context, religion plays this role. More specifically, in Israel, the countervailing movement has been portrayed as Islam. This poses the question: do western universalistic traditions have a different approach to race than to religion?

The universalistic tradition has always been defined by at least two principles. First, that governance should not be based on racialised communities, at least not at the levels of principle or organisation. The second is the principle of secularity – that religion should not be an element in governance. The practice of the first is increasingly clear. The practice of the second has always been more ambiguous. Traditionally, the position is that secularism is condoned, provided it is located in the discourse of Christian civilisation. This is why someone like Huntington would never have argued in favour of a civilisational discourse based on race but he would, and did, on the basis of religion.²

This ambiguity is what allowed the international community to embrace South Africa's cosmopolitan traditions, its non-racialism, while turning away from the Palestinians' pan-religious one. My contention is that western universalistic traditions are reasonably comfortable with anti-racism but they are, at best, ambivalent about a post-religious world. Even today, in western Europe, the notion of non-racialism is accepted if not practised, while the belief in 'Christian Europe' has deep roots that surface every time Turkey's inclusion in the European Union is debated. It appears that in the western liberal tradition, which emphasises universal values, the transcendence of religious differences has not occurred to the same extent, or gained the same sort of traction, as the ideal of non-racialism.

This accounts for why the international community has responded so differently to the South African and Palestinian liberation movements. The universalistic tradition of the African National Congress (ANC), based as it was on non-racialism, was embraced by the global community and led to the emergence of the international anti-apartheid movement. The universalistic tradition of the Palestinian movement, which spoke of a post-religious society, particularly in the early period, was not embraced by the international community in the same way. Thus, the emergence of a particularistic or fundamentalist tradition in the Palestinian movement is

not simply the story of the failure of this movement, but must also be seen as related to the failure of the international community to embrace its own universalistic traditions in a more significant and accepting way. Does the embracing of South Africa and the shunning of Palestine not reveal the very ambiguities and contradictions within western universalism, a tradition that we so often uncritically embrace?

To conclude on this matter then: Glaser speaks powerfully about settlers and how similar they are in Israel, South Africa, and Northern Ireland. But I would argue that further reflection is required about the identity of the victims in each case. We need far more understanding of why one set of identities came to the fore while another set has remained in the shadows. We also need to further explore how the same internal struggle to define who the victims were played itself out in these societies, but had different outcomes in each case.

I want now to explore the related question of how to understand suicide bombing. Is it simply a product of manipulation of the particularistic identities of a certain group by political elites in Palestine? Or is it also a reflection of the rage felt at moments when peace processes have faltered and when it is perceived that no other options exist?

In this regard, it is important to come to terms with the fact that suicide bombing is not a peculiarly Middle Eastern or Palestinian means of resistance. It has emerged in different historical struggles and one has to understand both the social context in which it emerges and its consequences. It is also important to note that suicide bombings have taken their toll on both the Israeli state and the Palestinians. The cost to the Israeli state has been a drop in GDP and a sense of futility among the population manifested by the rise of the right wing. The cost to Palestinians has been twofold. First, it alienated significant sections of international opinion. Second, it alienated sections of Israeli opinion that may have been open to finding a just solution. If you see the bombers' original objectives as intending to sway international and Israeli opinion, then the cost to the Palestinians has been significant.

Western discourse on the subject of Palestinian resistance methods is inadequate in that it presupposes that the Palestinians have made a choice and that they could make alternative choices. It does not understand that choices are conditioned by context and that unless other contexts are created internationally, alternative and more progressive choices are stymied. A more sociological perspective offers options and solutions

and seeks an understanding of how to build a cosmopolitan possibility in Israel/Palestine. A sociological understanding of suicide bombing makes it clear that the phenomenon is not simply going to stop through the actions of the political elite in Palestine. From this perspective, suicide bombing will stop only when Palestinians no longer fear that they have no other options. It will stop in a context of hope.

The Palestinian elite needs to make better strategic judgements, but it also requires the active solidarity of the international community. This demands of the international community to embrace the Palestinian struggle in exactly the way that it, at a particular historical juncture, embraced the anti-apartheid struggle in South Africa. International opinion is crucial because it is precisely US support for the Israeli state that cushions international pressures and emboldens Israel's political right.

In the past, the USA was also a bulwark of the apartheid state. It took a fifteen-year struggle to shift the US government's position and make it amenable to a political settlement in South Africa. The question now is, what is required, at the level of strategy and international solidarity, to achieve the same for the Palestinians? Palestinians have to realise that they are more likely to win over international opinion if they make more universalistic appeals rather than more particularistic ones. A narrow particularistic religious discourse will never win over the international support that is crucial if the Palestinians are to win their struggle. Certain traditions within the Palestinian movement see their struggle as an Islamic one. In fact, it is a national struggle; a struggle for national freedom and this must become the dominant discourse if Palestinians are to attract and mobilise international support.

How do we disentangle the mess we are in? To deal with the conflicting nationalisms advanced by Israel and Palestine, we have to begin by reflecting on the intellectual solutions that have been advanced. Broadly put, throughout history there have been three intellectual traditions that speak to the issue of identity. The first tradition is assimilation. In an earlier period, domination was achieved through the extermination of the indigenous population. In the twentieth century, such domination occurred through processes of assimilation, with the demand that, 'You become who we are.' This tradition is best reflected in Samuel Huntington's book *Who Are We?*, in which he argues that Mexican immigrants who enter the United States must become American by speaking English, reflecting Protestant values and behaving as white, Anglo-Saxon Americans do.³

Part of the reason I am uncomfortable with the ‘civilisation’ discourse, as articulated by Huntington, is because he assumed that ‘civilisation’ is a homogeneous category. He doesn’t sufficiently recognise the contradictory elements within any ‘civilisation’. Besides, Huntington’s America is not the only case of assimilation. A similar intellectual tradition is dominant in France where one is obliged to assimilate in order to become French.

The second tradition is multiculturalism. This assumes the existence of homogeneous ethnic groups. More sophisticated versions of multiculturalism acknowledge that there are tensions within these categories, but the primary aim of this discourse is to create rapport between cultural groupings: get them to talk and to recognise one another. In the South African context, this tradition manifested itself in the discourse of consociationalism, where the leaders of black and white communities, described as homogeneous categories, were expected to represent their constituencies, engage each other and establish an elite bargain. This intellectual tradition is increasingly popular in western political science and is often advocated as a solution for deeply divided societies; it is also the tradition that underlies mainstream public discourse in the UK around the Muslim community and how to address its problems.

The third is a cosmopolitan tradition. Many do not like the word ‘cosmopolitan’, suggesting that it evokes images of elitism disconnected from the everyday realities of the developing world. I, however, use it to describe a nation as an evolving construct, defined in different epochs by the new peoples and generations that comprise it. The cosmopolitan tradition is best reflected in the South African Constitution, which does not define the nation *a priori*, and implicitly holds the view that the South African nation will evolve through the nature of the interactions of its people.⁴ The cosmopolitan tradition says: ‘We will change by the very nature of our interaction.’

To illustrate this I share a personal anecdote. I grew up in the South African indian Muslim community, a community that is perceived as homogeneous by most of those outside it. Within this community, there is smaller subcategory of people known as Memons. The divide is mainly a linguistic one and Memons were traditionally encouraged to marry to each other. There must be about 15 000 Memons in South Africa. When I got married, in my twenties, my family formed part of this group. Some members of my family opposed my marriage because the woman I was marrying – who was also an indian Muslim – was a Gujarati-speaking Surti

(descended from Indians from the city of Surat in Gujarat state) and my aunts who had raised me (my mother died when I was a child) refused to come to the wedding because, for them, Surti was a different identity. I recall speaking to one of my aunts a few days before the wedding. I asked her: 'Why are you opposed to Fatima, my future wife?' My aunt replied, 'Her culture is different.' I said, 'What do you mean her culture is different? We speak a similar language. We have a similar educational background.' My aunt thought for a while and then replied, 'You know, the cooking, the masala she is going to put in the curry is fundamentally different.'

What is interesting about this, other than the idiocy of defining identity through the spices used in cooking, is that for my aunt and for many of her generation, to be Memon was to have a distinct cultural identity. Fast-forward twenty years and the new generation of today has forgotten all about being Memon. They are so busy policing new racial and religious divides that they have forgotten about policing their linguistic identities. So my cousins, nephews and nieces now marry Surtis and others and this is no longer deemed problematic. The post-apartheid moment and the possibilities and challenges it has generated has forced identities to evolve.

A Nation by Design is a wonderful book by Aristide Zolberg about what it means to be American; it is the real counter to Samuel Huntington's work.⁵ Zolberg looks at immigration policy in the United States and explores what it meant to be American a hundred years ago, when being of Irish or Jewish descent was not seen as part of American identity. Zolberg then explores how American identity evolved, influenced particularly by the Immigration and Naturalisation Act of 1965, which enabled the American identity to become a pan-European identity. This is what the multicultural tradition often forgets: in a world of globalisation and the integration of production systems, identities continuously evolve. The issue is how to make it evolve in a direction that evokes the commonality of humanity.

To sum up then, what does all of this say about the potential for political settlement in Israel/Palestine? Is the two-state solution a sustainable one or is it simply motivated on the grounds of pragmatism? My reflections on identities suggest that the formation of two states – Israel and Palestine – is unsustainable for it goes against the integrationist impulses of our world. It may be partially expedient for the moment, but in our globalising world no ethnic state – Jewish or Muslim – is sustainable in the long term.

Of course, there needs to be more consistency when it comes to criticisms of ethnic states. The Muslim world often criticises Israel as an ethnic state, but it remains silent on countries in the Muslim world that have also established ethnic states. The western world speaks of cosmopolitanism and multiculturalism, but remains silent on Jewish Israel and condones the rise of anti-Muslim sentiment in Europe and North America. Ethnic states, whatever their form, all need to be condemned equally if we are to address the challenges that confront our globe.

Notes

1. This chapter is a response to the chapter by Daryl Glaser preceding this.
2. Huntington (2005).
3. Huntington (2005).
4. See Habib and Bentley (2008).
5. Zolberg (2006.)

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Chapter Twelve

On the time-spaces of Zionist narratives: Reflections on the Jewish National Fund and the socialisation of Zionism in South Africa

Heidi Grunebaum

This chapter offers some preliminary thoughts on South African Jewish Zionism and its material and discursive modes of expression, affiliation and socialisation, particularly through the Jewish National Fund South Africa (JNF).¹ It grows out of my reflections as a Jewish South African on two very different visits to the ‘South Africa Forest’ in Palestine/Israel. The forest is a JNF-funded project and leisure park in lower Galilee that was planted on the remains of a destroyed Palestinian village, Lubyā, which was depopulated in July 1948. My first visit took place in the 1980s, when my teenage classmates and I participated in a religious Zionist youth programme. The second visit occurred in 2009 when, with three South African colleagues, I went to see the forest and to look for the remains of Lubyā, to witness the material connection between the JNF forest, the dispossession of Palestinians and their forced and ongoing displacement inside present-day Israel and in the Palestinian diaspora. The almost irreconcilable contrasts between these two journeys could be said to characterise a much wider ideological and cognitive cleavage that contributes directly and materially to the ongoing colonisation, settlement and ethnic nationalisation of the landscape. This same cleavage also disconnects these processes from both the Nakba – the ongoing catastrophe of forced displacement experienced by Palestinians since 1948 – and from the historical representations, spaces and material localities in which these experiences are grounded.

Political Zionism has been indoctrinated and socialised into the experiential fabric of mainstream South African Jewish life in many different ways. Contributions to the JNF are but one part of the history, institutions, discourses, affiliations and material means through which political Zionism has become part of the everyday lives and worldviews of the majority of mainstream South African Jewry. Given the central role of the JNF in the colonisation and ethnic re-landscaping of Palestine/Israel, it is necessary to explore how material, discursive and spatial support given

to the JNF helps to sustain and 'normalise' the machinery of colonisation and settlement. That is, it is important to understand how it helps the 'legal' dispossession and displacement of Palestinians from their houses and lands, as well as how these processes can be interrupted.

As a set of preliminary notes, this chapter draws on personal reflections and aims to chart the beginnings of a more systematic project that involves identifying the JNF's institutional workings and its insinuation into broader Jewish communal life as a form of cultural philanthropy and 'progressive' environmentally conscious expression. While this chapter examines JNF South Africa's project at 'South Africa Forest'/Lubya village, the need for further research is pressing since the JNF is currently engaged in a massive project to displace Bedouin populations in the Naqab/Negev area of southern Palestine/Israel and JNF South Africa is playing a key role in this. Indeed, the web page for JNF South Africa's 'Project Negev' claims that

Israel's constantly growing population in the north is running out of space, and the Negev is a massive land reserve waiting to be developed... Grasp the economic, demographic and geographic realities of Israel, and you will understand the immediate need to develop the Negev. Over the next five years, our goal is to bring 250 000 new residents to the Negev. And over the next ten years, Blueprint Negev will bring over 500 000 people to 100 000 housing sites that will be created in 25 new communities.

JNF South Africa are making a difference by assisting young pioneers to establish farmsteads. The farmsteads are located in the Negev highlands between the Telallim Junction to the town of Mizpe Ramon. The farms are built on available sites in the Negev that are neither protected nature reserves nor army training areas. Most of the sites have been chosen for their scenic location and in many cases have been built on previously disturbed sites.²

The presentation of 'Project Negev' is stunning in its bold repetition of the generic colonial doctrine of *terra nullius* (empty land) and its rhetorical renaming of colonial pillage as the 'development' of land by 'young pioneers'. Unmentioned and unacknowledged in this scenario is the forced removal of Bedouin communities and their villages that such colonisation and settlement entails, despite the clue offered by the phrase 'previously disturbed sites'.

Colonising land and history, erasing traces of destruction

Land colonisation, the 'ethnicisation' of land rights, the legal entrenchment of 'ethnic' exclusion and the creeping extension of land settlement using military and other means by Jewish settlers remains at the heart of modern Zionism. At the same time, modern Zionism does not represent, as it claims to do, the historic return of a 'Jewish' presence (and the collective entitlement of Jews) to the land of Palestine/Israel. Jews have lived in Jerusalem and in Palestinian towns for centuries.³ Yet, as many scholars have shown,⁴ with the ascendancy of modern Zionism, the JNF has been at the core of institutionalising a system of ethnically exclusive land ownership and access rights through a complex labyrinth of legal machinery that grew out of the founding documents, constitutions and articles of association of the institutions in the Zionist movement. The JNF became one of the central legal means through which land in Palestine was acquired 'in perpetuity' for leasing to or settlement by Jews only. This would also 'prevent the return of Palestinians'.⁵

Through the Zionist movement, the JNF in Palestine/Israel, and around the world, has worked itself into the very fabric of everyday Jewish life. A large and ongoing source of financial and other contributions have ensured the ongoing posterity of its work. More importantly, the JNF's educational strategy has sought to cultivate direct links between modern Jewish identity and 'Eretz Israel', the Land of Israel, through the connection of individual contributions to its 'afforestation projects'. The JNF brands itself internationally as a progressive 'green' initiative, a representation with considerable currency given the global mainstreaming of 'environmentalism'. JNF forests and recreation parks, however, have been planted on top of the rubble of depopulated and subsequently demolished Palestinian villages as part of a broader drive by the state to 'Judaize' the landscape.⁶ Not only do contributions to the JNF perpetuate the dispossession and occupation of indigenous Palestinian lands but, in many countries, the JNF has the status of an association not for gain or of a charitable organisation and contributions to it are incentivised by being tax-deductible.

In South Africa, where Jewish identities tend to be less diverse and more homogeneous than in other contexts, the conflation of Zionism (a modern ethnic national project) with Judaism was not always as seamless as Zionism's current dominance might suggest. For example, Bundism, as well as other anti-Zionist and non-Zionist orientations, were among the different political and cultural affiliations expressed by Jewish immigrants,

refugees and settlers a century ago. However, the hegemony of Zionist ideology has influenced almost all aspects of Jewish life in South Africa. A century ago, the rise of Zionist ideology amongst Jewish settlers who arrived in South Africa as immigrants and refugees from antisemitic pogroms in Eastern Europe occurred within the context of an increasingly racialised settler-colonial society. South Africa was a society in which white supremacism racialised the pillage of land and natural resources. In fact, the racialisation of all spheres of society was legally entrenched through the Anglo-Afrikaner settler alliance – the Act of political union of 1910. While the Zionist movement claimed that a common ethnic identity lay at the core of its nationalist vision for Jewish people, its ascendancy in South African Jewish communal life was also influenced by multiple and often contradictory pressures both from within and outside of Jewish communal life. For example, at a time when the ‘whiteness’ of Jews was not yet legally ‘assured’ by the state, Jews were nonetheless racialised in white (pro-Jewish and antisemitic) representations of Jews in the media and in political discourse.⁷ Later, the socialisation, education and internalisation of Zionist ideology, particularly during apartheid, was compounded by complex socio-political dynamics within the organised Jewish community and its institutions – including a broader accommodation and internalisation of ‘white’ group consciousness and ‘own’ group identification.

Through the iconic JNF ‘blue boxes’ distributed to Jewish homes and institutions, the JNF was presented as a form of philanthropy and social assistance in which ordinary Jews could participate as individuals across social and economic class. Baruch Kimmerling notes that contributions made across the world via the JNF’s blue boxes provided a stable and reliable source of funds and held important symbolic and ‘educational’ value.

Contributions to the JNF rapidly acquired significance as a sign of both active and symbolic participation in the Jewish-Zionist community. The blue box was more of a determinant of the community’s boundaries than was the ‘shekel’ – the annual contribution to the Zionist Federation.⁸

Kimmerling quotes Menahem Ussishkin, head of the JNF in 1921, as saying that the ‘penny is significant as an educational element. It is not the child who contributes to the JNF, but rather the JNF which contributes to him.’⁹ Signalled here is the issue of educating Jewish children to contribute funds to the JNF as a strategy of inculcating nationalist values.

Creating a direct association between the contribution of individual coins and an exclusively Jewish historical attachment to 'the land', the JNF's Propaganda Department (now renamed the Education Department) developed an effective two-pronged strategy with which the blue boxes remained synonymous.¹⁰ Indeed, the blue boxes were, it seems, also a highly effective way to raise significant amounts of money, since an ongoing and substantial amount could be raised through small sums from all around the world. Indeed, as Kimmerling observes, by 1939, income from blue boxes was higher than from any other means of JNF fundraising.¹¹

As the blue boxes have become identified with inculcating the ethical values of charitable giving in young children (possibly co-opting the religious obligation to contribute ten per cent of monthly income for social assistance and welfare support), they have become 'cultural' artefacts in many Jewish homes and communal institutions around the world. In this and other ways, the JNF became insinuated into the cultural fabric of Jewish social, communal and familial life. In lieu of a gift, for example, a beautifully illustrated and gilded certificate is often presented at weddings, births, bar/batmitzvahs and so forth. As a JNF advertisement in the April 2010 edition of *Jewish Life*, a glossy monthly magazine aimed at the South African Jewish community, puts it:

Over the last century the JNF has collated the only global record of Jewish life. Brits, Bar/Bat mitzvahs, marriages and life achievements are all inscribed in our archives and marked by the planting of life-giving trees. Register your family Simchas with the JNF and start your tree-planting legacy today.¹²

So in addition to 'traditional' JNF fundraising through the blue boxes, sefarim (commemorative books registering and documenting the significant religious and cultural Jewish rites of passage) and JNF tree-planting (discussed below) have become common.

According to Phyllis Sachar, who wrote a commemorative publication for the Western Province Zionist Council, the JNF in South Africa

was supported in many ways: all affiliated societies were urged to organise functions; house-to-house collections were carried out; JNF stamps were sold and all letters and documents had to have JNF stamps affixed to them; JNF telegrams were sent to Jewish weddings and other simchot [celebrations].¹³

Sachar lists JNF projects for 1983 and includes, as contributions from Cape Town Jewry, the following:

South Africa Forest near Lavi [renamed from the Arabic, Lubyā, as part of the state's drive to Judaise the landscape] and the Commemorative Forest at Illaniya, honouring the fifty-three South Africans who gave their lives in the defence of Israel. Several Cape Town families have dedicated forests in Israel and many have 'family groves' in the SA Forest.¹⁴

During the two decades following the depopulation and destruction of more than 500 Palestinian villages in 1948, a number of huge European-style pine forests were planted and recreational parks established by the JNF. These JNF forests have been strategically planted on top of destroyed Palestinian villages, a process of 'demolition followed by dense forestation', as Mahmoud Issa describes it.¹⁵ Many of the JNF forests have been named after the countries, or after famous figures of countries, from which donations and contributions had come, such as Switzerland Forest, Canada Park, British Park, Norwegian Kings Forest and Coretta Scott King Forest. According to Noga Kadman, eighty-six JNF parks and forests have been planted on destroyed Palestinian villages and their lands.¹⁶

In this way, the very core of JNF activities contributes to what Ilan Pappé has termed the 'memoricide of the Nakba';¹⁷ that is, the active or attempted erasure from places, towns and villages of the living connection between Palestinian social memory (held by Palestinian refugees and their descendants) and the material traces from which that social memory is formed. It could be argued that since these mechanisms, embedded in state law, effectively abrogate Palestinian claims to collective rights that connect to material localities of place and origin within current-day Israel, the JNF and its activities also constitute a form of 'politicide'.¹⁸ Since the JNF 'continues to play a central role in maintaining Israel's land regime',¹⁹ its mechanisms, practices and ecological narratives contribute quite significantly to concealing the creeping dispossession of land from indigenous residents.

South Africa Forest/Lubyā village in 2009

In August 2009, I was part of a group of South Africans who visited the West Bank. On the last day, four of us went to Lower Galilee to look for the remains of Lubyā village and for 'South Africa Forest'. In 1945, Lubyā village and its agricultural lands had been the life and livelihood to 2 730 people.²⁰ After three fierce battles between Lubyā's villagers and the Hagana which took place between March and July 1948, the village was defeated, forcibly

depopulated and then destroyed in July 1948. Lubyans were displaced, becoming refugees dispersed inside Palestine/Israel and across twenty-three countries.²¹ Within two weeks following the depopulation of Lubyas, most of its physical buildings were totally destroyed by Hagana military units. According to Mahmoud Issa,²² historian and son of a former resident of the village, not only had Lubyas been one of the biggest villages in the Tiberias district, it had also been one of the biggest in Palestine, with an area of 39 629 dunums. Jewish settlements were established (Kibbutz Lavie in 1949, and Givat Avni in 1991), and an Israeli military museum was constructed across Lubyas's lands. The JNF forest (comprising Lavie Forest and South Africa Forest) was planted over the ruins of the village in an attempt to erase the remains of the mosque, houses, an inn, a school, a cemetery, a community centre, nine shrines and other structures.²³

Funded by the JNF through contributions from South African JNF donors, including the Women's Zionist Organisation of South Africa and the Friends of the JNF, the forest boasts a recreation area with a wheelchair access route and a children's playground. The sign beside the children's play area is inscribed in Hebrew and English and reads, 'Children's Playground in memory of Barney Nestadt, Johannesburg, South Africa.' Another sign, dated 1996 and beside the landscaped 'wheelchair-access' section of the park, reads, 'This recreation area was established, to enable handicapped access so all may enjoy the forest, by Friends of the Jewish National Fund and the Women's Zionist Organisation of South Africa.'

At South Africa Forest/Lubyas village we met a former resident of Lubyas who was forced to leave his residence with his family in 1948. He returns regularly to the ruins of the village. We spoke with him and he offered to be our guide as we made our way through the ruins. We were shown the many wells that had been used to collect water and the remains of stone houses, one of which had been the home of the mukhtar (village head). Nearby, next to a great pile of stones that was the remains of his home, some families from a nearby Israeli agricultural settlement were having a picnic. We went up the hill, further into the forest, where the centre of the village had been located. The remains of the village were clearly visible beneath a layer of acidic brown pine needles. We went up to the site of the mosque, and into the cemetery where many headstones had been desecrated and destroyed; moss-covered pieces lay strewn on the ground.

The pines, pomegranate, olive, fig and almond trees from the gardens of former residents were still growing – representing the living posterity of Lubyas. In JNF publicity texts, these are presented as 'wild almonds' and

‘wild pomegranate trees’. In colonial discourses, this troping of nature as ‘wilderness’ often serves to sever the perception of the historical relationship between indigenous peoples and their cultivation of the land. In this way, the features of the land and its cultivation by human hands become historically delinked from indigenous land cultivation and are explained only within a colonial meta-narrative. But all around us, the wonderfully obstinate sabra (prickly-pear cactus) flourished. Sabra, we had learned days before, are the clearest indicators of the sites of destroyed Palestinian villages depopulated in 1948; Palestinians had used the stubborn plant to demarcate villages from agricultural land. And, as Uri Davis has written, the sabra is almost ineradicable – the smallest trace that remains below the ground grows back and eventually becomes a sprawling cactus hedge.²⁴ In South Africa Forest, the cactus remains, clearly proclaiming the presence of Palestinian life within pre-1948 Palestine. It proclaims also the Israeli state’s ethnic chauvinism in its attempt to supplant traces of Palestinian life and land cultivation. Engineering another landscape in narrative, renaming of place names and spatial terms, the Israeli state is attempting to erase what does not ‘fit’ the ‘story’ of an Israeli landscape.

Disappearing Luby: South Africa Forest in 1983

Although my father’s parents were refugees from Nazi Germany and his extended family had been deported and murdered in that genocide, the Shoah was never openly spoken about in my family. When I first visited the small town of Hungen, outside Frankfurt, in 2002, I went in search of our family home. On the ground beside the front door of the house were the shoes of its current residents. On seeing those shoes – the signs of life they stood for and the absence of the lives that they had metaphorically displaced – I began to understand the complex and painful reasons for my father’s reticent silence. When I was at school, this experience of the Shoah and its afterlives for descendants of survivors was not part of how we were educated about the history of the Shoah. Zionist ideology has kept alive the collective psychic imprint of that recent genocide in very particular ways and yoked it to its exclusive nationalist claim for a Jewish state. In the post-Shoah period and, arguably, as a consequence of the genocide, Jews have made real and substantial legal and social gains in many countries, in struggles for recognition and against antisemitism and the different forms of harm it does. Zionist ideology, however, has inculcated a cognitive disconnection between the forms of legal protection that Jews

currently enjoy in many countries and a collective paranoia that effectively minimises these gains and exaggerates, in context-specific ways, the vulnerabilities that Jews face by living in the world as Jews. The impact of this disconnection is stunning. For Palestinians it has been catastrophic, for it has contributed to the militarisation of Jewish-Zionist identity and the valourising of militarism as a core aspect of modern Jewish identity. The twinning of the two narratives, of the Shoah and of Zionism – as a primordial Jewish attachment and entitlement to live and exclusively govern in the land of Palestine, together with a valourisation of militarism and militaristic values – runs through the core of the mainstream Jewish day-school system, broader communal activities and cultural programmes, and through Zionist youth movements.

In June 1983 I visited Israel on a two-month programme arranged by my high school and by Bnei Akiva, a religious Zionist youth movement. The programme was called *Tochniet Akiva*.²⁵ That journey channelled us into a land of biblical patriarchs, modern Zionist prophets and global Jewish pilgrims. This was Eretz Israel, the 'Land of Israel'. Our entry into 'the Land' bore all the features of a ritual induction, a pilgrimage and a rite of passage. Our first stop was the Kotel, the western wall of the second Jewish temple in Jerusalem. This was our entry into and movement through a landscape that was made legible through a nationalist and purportedly biblical history. The spatial and narrative co-ordinates of Jewish Israel and Israelified Palestine, in which the 'natural' and built environments constitute a screen that both obliterates the presence and life of Palestinians from history and replaces it with Judaic biblical metaphors of exile, return, land and belonging, become historical terms that are spatialised. My experience then was of another land, an imagined land. In the act of conjuring an ethnic national collective, illusion was made from reality and reality from illusion. From a rich textual tradition of interpretive creativity and poetic metaphor, biblical narratives were applied literally as the violent imaginings of ethnic nationalism.

Through my high-school education in an orthodox Jewish girls' high school, within a framework of religious Zionist ideology, Jewish identity was actively shaped through a sustained conflation with Zionist teachings repeatedly tied to the state of Israel and the territory it claims. Like many ethnic nationalisms, its inculcation as a worldview, and its success in informing and shaping the unconscious matrix of moral and ethical values through which the world is translated and acted upon, depends

on territory – territory as an empirical reality and as an imagined and imaginary space.²⁶ Through the training and educating of Zionism into the weave of a Jewish worldview, Israel is rendered into one's 'own' land, into the place of one's intimate imaginings of belonging in the world, arrogating a territory thousands of kilometres away. The narratives, legends, archaeological sites, material artefacts and mappings of history allow for a biblical landscape that speaks exclusively of Jewish figures, deeds, actions, successes, failures and historic decisions. A massive temporal compression transforms thousands of years – of trade and agriculture, of families and alliances, of accommodations and contests, of loves and losses, of wars and conquests, of ruins and rebuilding, of migration and movement and of the unpunctuated continuity of lives of many diverse and different peoples lived and marked through the passing of generations into an emphatically Jewish 'spiritual' title deed. And an exclusively Jewish political entitlement is rendered a bequest from God, through blood and ethnic national belonging. In this way, the grounds are laid for normalising fundamentalist thinking and chauvinist acting and for an a priori 'othering' of Palestinians.

So, our orientation into the 'peoplescape' was ordered and explained with reference to the land, landmarks and places, through narratives that excised or made invisible the past and present lives and realities of Palestinians in the same land. In this ordering, for example, Masada became a metonym for the Naqab/Negev, and the Kotel for Jerusalem. The programme included hikes in Galilee, living with settler families, 'working the land' in religious settlements on the occupied West Bank, hadracha (leadership) workshops in Jerusalem and Tel Aviv and participation in an archaeological dig in Jerusalem and in a military training programme for youth called Gadna.²⁷ The Grade 10 girls' class report on the programme, published in the school's annual magazine, is worth quoting:

Upon arriving to the usual chaos at Ben Gurion airport, where we sang and danced amidst the liveliness and excitement of our Israeli friends, we proceeded to the Kottel [sic]... We visited many places of interest where we learnt about the history of Israel, the ideals and hopes of the Israeli people, and where we saw and experienced what has kept the Jewish nation alive for many centuries. After a mere walk in Jerusalem we felt an integral part of Israeli life. In this respect the Tochniet was an amazing success as many of us now feel Israel is the place where we belong. Included in our programme was 10 days in the Golan and Galilee, hiking through scenic mountains and

swimming in waterfalls (boys and girls separately, of course!)... At Gadna we learnt to shoot guns and how to defend ourselves against would-be attackers... We are more aware of Israeli-related issues and our feelings for the country have been strengthened. Anyone who has the opportunity to experience Tochniet Akiva should grab it, as it was indeed a most memorable experience.²⁸

Reflecting back on the fifteen-year old South African girl that I was, I see how the active training of the Zionist movement, in so many parts of Jewish life, created and normalised a claim that could allow my classmates and I to integrate the belief that Israel was 'our' homeland. Military memorials, museums and monuments formed constant refrains in the programme. The core values of nature, militarism and memory were constantly reinforced and translated spatially. Indeed, the twinned and mutually reinforcing processes of militarisation and the cultivation of an acute sense of existential vulnerability as post-Shoah Jews remains an integral and highly effective part in the social education of modern Zionism for young Jews who live all over the world.

This brings me back to South Africa Forest. In 1983 we visited Lavie/South Africa Forest. We stopped there to have a picnic lunch after we had visited and heard a lecture at the Golani Brigade memorial, the Israeli military memorial about a kilometre from the forest.

Envisioning a liberated future

It took me years to actively find out how the spatial and narrative coordinates of the Israel I was taught to identify with excised not only Palestinians from the land, but also disappeared the name 'Palestinian' from the version of history that I had learned. And it took even longer for me to learn about the ongoing consequences of the activities of the JNF.

The material grounds of everyday life on which modern late-colonial and ethnic nationalist violence unfold are not neutral. They are lived and experienced in very different ways by those who colonise and settle and by those who are displaced and attacked. Dominant notions of these processes as constituting a 'conflict' between two equal sides, with two 'versions' of history comprising two 'narratives' of 'conflict' and representing two 'peoples' is a misguided fiction that is likely to cover further injustice and abrogate the possibility of a humane and just resolution. Creating subjective, internal, cognitive and empathic spaces to hear and acknowledge the experiences of those who have been oppressed are important but are

neither static nor sufficient in and of themselves. The political and ethical obligation is to contribute towards the material and moral efforts to establish the centrality of acknowledgement and restitution for longer-term processes of social reconstruction in which justice, ethics and restitution may become shared and collective values. In light of the role played by JNF South Africa in covering up the displacement and dispersal of Palestinians from Lubyā, from their lands and homes, and towards envisioning and naming the material and symbolic forms that acknowledgement, justice and ethical action may take, I offer the following comments:

The connection between the colonising work of the JNF, its fundraising through blue boxes, its tree-planting and commemorative books and the direct contribution of these to the forced displacement of Palestinians inside the areas of Palestine/Israel proclaimed as Israel in 1948, on the West Bank, in East Jerusalem and in the Naqab/Negev must be researched, established and disseminated.

Following Uri Davis,²⁹ and as part of a process of acknowledgement and restitution, it is necessary to establish how and why JNF South Africa chose Lubyā village for the planting of ‘South Africa Forest’ in the mid-1960s.

The right to justice and return for all Lubyans and their descendants who, through violence and mechanisms of law, were coerced into becoming refugees from Lubyā, and the re-establishment of their homes and agricultural lands must be actively supported.

It is necessary to challenge the ways that the JNF, the global Zionist movement and its institutions have been instrumental in entrenching the forced displacement and denial of collective existential rights to Palestinian people since the establishment of the state of Israel.

When I think about the shoes of the current resident in front of what was my family’s home in Hungen, I think that the right to return and to remake a home in Palestine/Israel, and the right to live in a liberated, diverse and just society, whether one is a Jew, Muslim, Christian or atheist, are fragile but precious rights. The task at hand is to contribute towards creating the conditions for this to be possible.

Acknowledgements

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Notes

1. The Jewish National Fund (or Keren Kayemeth LeYisrael) was first established at the Fifth Zionist Congress in Basle in 1901 and has since been set up in over forty countries worldwide. Its aim was 'to establish national ownership of the land which would be non-transferable' and to 'solicit contributions from world Jewry' (Kimmerling 1983: 73). According to its website, the South African branch also dates back to 1901 (see http://www.jnf.co.za/pages/about_jnf.htm).
2. <http://www.jnf.co.za/pages/project-negev.htm>.
3. See, for example, Rabkin (2006).
4. See, for example, Uri Davis (2003: 40–52), Baruch Kimmerling (1983), Walter Lehn (1974), Ilan Pappé (2007), Oren Yiftachel (2006).
5. Kimmerling (1983: 73).
6. Benvenisti (2000).
7. Shain (1994).
8. Kimmerling (1983: 75–76).
9. Kimmerling (1983: 76, my emphasis).
10. Bar-Gal (2003).
11. Kimmerling (1983: 75, fn).
12. *Jewish Life*, April 2010, p.22.
13. Sachar (1984: 53).
14. Sachar (1984: 54).
15. Issa (2003: 19).
16. Kadman (2008). I thank Noga Kadman for making this information available to me in English.
17. Pappé (2007).
18. The term is Baruch Kimmerling's (2006). I thank Avi Shlaim for bringing this analytical intersection to my attention.
19. Masalha (2012: 125).
20. Issa (2005b: 17).
21. Issa (2005b: 17).
22. Issa (2005a). I am deeply grateful to Mahmoud Issa for sharing the unpublished English manuscript of the translation of his book with me.
23. Issa (2005a).

24. Davis (2003).
25. Bnei Akiva (literally translated as the children of Akiva) is a religious Zionist youth movement ideologically oriented towards the combined principles of 'Torah ve'Avodah' (the study of sacred text and working 'the land'). Tochniet means programme.
26. Said (2000).
27. Gadna is an acronym for 'Gdudei No'ar', meaning youth battalions. It was established as the youth corps of the Hagana prior to the founding of the state of Israel. Currently, it is a military training programme for Jewish youth run by the Israeli Defense Force.
28. Class report on Tochniet Akiva in The Yeshivite, (annual school magazine, 1983: 80).
29. Davis (2003).

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Chapter Thirteen

Israel and apartheid: When democracy for a minority becomes a special form of colonialism

Ronnie Kasrils

Victory over fascism in 1945 raised the hope for freedom throughout the world; the stage was set for the decolonisation of Africa and Asia. Yet 1948 proved to be an *annus horribilis* for both black South Africans and native Palestinians.

For South Africans, May 1948 marked the election of the apartheid government, consolidating over three centuries of colonial conquest and subjugation and the prelude to a forty-six year maelstrom. For the Palestinians, 1948 ushered in a truly catastrophic era (the Nakba) of brutal dispossession at the hands of a rampant Zionist project, resulting in expulsion from a land they had inhabited for centuries and their replacement by an exclusivist Jewish state whose unilateral independence was declared on 15 May that year.

Both new regimes proclaimed that they were democracies and aligned to the West. That was a sick joke, for equality and full rights of citizenship were confined to minorities in both instances, minorities which imposed their political and military supremacy over the indigenous majorities and had no compunctions about suspending the rule of law and using an iron fist against even non-violent resistance. Whilst apartheid was replaced in 1994 by a democratic, non-racist, non-sexist, unitary state of equal citizens, the suffering of the Palestinians only gets more excessive and a just solution appears more distant.

Much has been written about the similarities between the legal and legislative frameworks governing Israel and apartheid South Africa, with the seminal work being Uri Davis's *Israel: an Apartheid State*. The laws and measures adopted by Israel, whether civil or military, closely mirror those of South Africa before and especially during the apartheid period. Amongst these are the notorious nationality or race laws of both states which excluded non-Jews or non-whites, as the case might be, from the entitlement and privileges of full citizenship; land and property laws making it illegal for those categories of people to own or lease land or businesses

or to purchase or rent homes except in specific areas; laws on the issuing of identity documents based on strict racial classifications and reinforced by obsessive Kafkaesque controls which greatly limited freedom of movement, including the right of people to live, work, study, play, relax, travel where they wish and even determine where they may be buried and, scandalously, even laws affecting the rights of couples in 'mixed marriages'.

It is necessary to note that this legal framework relates to all Palestinians, those living within Israel as second-class citizens with limited rights, those in the occupied territories and even those who fled Palestine as refugees and who are now denied the right to return to their homeland. The similarities to apartheid are remarkable and abundant, including the master-race psychosis it engenders, the cruelty and racial hatred generated and the systemic crushing of the dignity of the Arab or african.

There is a colonial-type symbiosis between oppressed and oppressor in both scenarios and it is this that forms the focus of this paper. Israel, from its very conception, embodied many of the features ascribed to 'colonialism of a special type' (CST), a term coined by the South African Communist Party in 1962 to characterise apartheid South Africa. That thesis helped shape the strategy and tactics developed by the national liberation movement and it bears repeating here.

The conceding of independence to South Africa by Britain in 1910 was not a victory over the forces of colonialism and imperialism. It was designed in the interests of imperialism. Power was transferred not into the hands of the masses of people of South Africa, but into the hands of the White minority alone... On one level, that of 'White South Africa', there are all the features of an advanced capitalist state in its final stage of imperialism... But on another level, that of 'Non-White South Africa', there are all the features of a colony. The indigenous population is subjected to extreme national oppression, poverty and exploitation, lack of all democratic rights and political domination... The African Reserves show the complete lack of industry, communications and power resources which are characteristic of African territories under colonial rule throughout the Continent. Typical too of imperialist rule, is the reliance by the state upon brute force and terror... Non-White South Africa *is the colony* of White South Africa itself. It is this combination of the worst features of both imperialism and colonialism, *within a single national frontier*, which determines the special nature of the South African system and has brought upon its rulers the justified hatred and contempt of progressive and democratic people throughout the world.¹

It is not at all difficult to demonstrate Zionist Israel's colonial agenda. Indeed, from the early so-called *political Zionists* to Israel's first prime minister and associated military strongmen, we learn straight from the horse's mouth about the true colonial nature and objectives of their project, which at definitive times they did not bother to conceal. The founding father of *political Zionism*, Theodor Herzl, stated in 1895 that once a Jewish state was established the aim would be to 'spirit the penniless population [the Palestinians] across the border by procuring employment for it in the transit countries, while denying it any employment in our own country'.²

Israel's first Prime Minister, David Ben Gurion, who normally went to great lengths to conceal the true Zionist agenda, stated in an off-the-record discussion in the 1950s:

Why should the Arabs make peace? If I was an Arab leader, I would never make terms with Israel. That is natural: we have taken their country. Sure, God promised it to us, but what does that matter to them. Our God is not theirs. We come from Israel, it's true, but two thousand years ago, and what is that to them? There has been anti-Semitism, the Nazis... but was that their fault? They only see one thing: we came here and stole their country.³

The question arises: does the CST analogy assist us in understanding the Palestinian-Israeli situation and does it point to its resolution? In my view it is essential to grasp the colonial factor in understanding the Palestinian case: what is happening there is a national liberation struggle of the indigenous and uprooted Palestinians against a colonial-settler project whose community has come to acquire a national identity within the same territory and claims democratic rights exclusively for its own group. It is the settlers' racist, colonialist agenda that is the fundamental cause of the conflict, as was the case in South Africa.

I would argue that the conflict stems from the Zionist worldview, namely its belief in a perpetual antisemitism, which requires that Jewish people around the world (a faith group) usurp the territory of another people as their national home. The biblical narrative is evoked to proclaim Palestine as the Promised Land – reserved exclusively for God's 'chosen people' and their civilising mission. This is all too familiar, echoing almost exactly the vision of South Africa's colonial settlers and exponents of apartheid.

In history this vision has consistently given rise to racism, segregation and a total onslaught on those who stand in its way, whether they be Africans, Arabs, native-Americans, Asians or Aborigines. As with those whites who joined in the struggle for South Africa's liberation, many Jews within Israel and the diaspora reject the Zionist world view and declare that being anti-Zionist and critical of Israel does not equate with antisemitism any more than the accident of possessing a white skin meant one was a proponent of apartheid. While the political impact of these Jews has until recently been somewhat limited, thankfully this is changing and there is an increase in the number of those from within the Jewish community that refuse to remain silent in the face of Zionist oppression. It is my hope that these voices will continue to grow louder and will eventually be heard.

Far from being a land without a people, as Zionist propaganda falsely proclaimed in order to attract and justify colonial settlement, solid evidence points to the fact that for more than 2 000 years an indigenous people – the Palestinians – lived there and developed agriculture and towns. Shlomo Sand's 2009 book, *The invention of the Jewish People* reveals that ample archaeological and other proof exists to conclude that Palestinians have lived in Palestine from Canaanite times. In South Africa too, colonial and apartheid mythology taught generations of schoolchildren that when the Dutch colonists arrived on the shores of the Cape in 1652 the 'Bantu tribes' in their migration from the north had barely crossed the Limpopo River into what later became known as South Africa.

The predatory, expansionist Zionist project has been the source of war and untold suffering in the Middle East for over sixty years. This colonial dispossession inevitably has regional repercussions and threatens the entire Middle East in much the same way that apartheid South Africa destabilised the southern African region and beyond with its invasions, use of proxy forces, assassinations and massacres within and across its borders.

The destabilisation of the Middle East was amply demonstrated within eight years of the formation of Israel, in Israel's joint invasion (with Britain and France) of Egypt in 1956 and the temporary seizure of the Suez Canal. Little wonder then that, back in 1920, Winston Churchill, then Britain's Colonial Secretary, had observed that Zionism was good for Jews and for the British Empire:

If, as may well happen, there should be created in our own lifetime by the banks of the Jordan a Jewish State under the protection of the British Crown, which might comprise three or four millions of

Jews, an event would have occurred in the history of the world which would, from every point of view, be beneficial, and would be especially in harmony with the truest interests of the British Empire.⁴

After the Suez fiasco, America soon demonstrated its willingness to become Israel's chief backer. Noted Egyptian scholar Abdelwahab Elmessiri has pointed out that Israel had become a 'functional' client state for US interests.⁵ It was through the USA's more than generous assistance in developmental and military aid that Israel became a regional superpower. Since 1967, the USA has provided approximately five billion dollars in aid annually – three billion of which is earmarked for military requirements alone – and it sees Israel as its main strategic ally with regard to keeping the oil-rich Middle East under control. Jewish Voice for Peace, an American organisation, has pointed out that US military aid to Israel since 1949 'represents the largest transfer of funds from one country to another in history'.⁶ It is estimated that this military aid amounted to 100 billion dollars by the end of the twentieth century.

President George W Bush demonstrated Washington's support for Israel with a thirty billion dollar military-aid programme announced in 2007 – within a year of the Zionist state's barbaric onslaught on Lebanon. The scale of this aid continues even in the aftermath of Israel's horrendous attack on the Gaza Strip that took place from December 2008 into January 2009.

An unholy alliance evolved between South Africa and Israel in the mid-1970s and lasted throughout the 1980s. When almost the entire world was boycotting South Africa as a leper state, Israel became its closest ally. The two rogue states connived in secret arms' deals and Israel enabled the apartheid state to upgrade its jet fighter squadrons, naval fleet and weapons systems and to develop seven nuclear devices. The arms industries of the two states became closely interlocked, with billions of dollars worth of profits generated. It has taken some time for the democratic South African government to cut this Gordian knot.

During the hey-day of the Tel Aviv-Pretoria axis, after apartheid arms were supplied to an Israel reeling from the reversals of the 1973 October War, the two states exchanged military advisers and training specialists, in respect of both conventional and unconventional warfare, and mutually encouraged the many terrorist excesses they perpetrated.

Oliver Tambo, African National Congress leader at the time, addressing the UN General Assembly in 1982, stated:

The parallels between the Middle East and Southern Africa are as clear as they are sinister. The onslaught on the Lebanon, the massive massacre of Lebanese and Palestinians, the attempt to liquidate the PLO and Palestinian people, all of which were enacted with impunity by Israel have been followed minutely and with unconcealed interest and glee by the Pretoria racist regime which has designs for perpetrating the same kind of crime in Southern Africa in the expectation that, like Israel, it will be enabled by its allies to get away with murder.⁷

The 1947 United Nations partition plan for Palestine⁸ accorded fifty-six percent of the British mandate of Palestine to a Jewish homeland, although Zionists had by then acquired approximately seven percent of the land (purchased from absentee Arab landlords over the heads of tenant farmers) and comprised one-third of the population. (Most of the Zionists had recently arrived as Holocaust refugees from Europe.) The remaining forty-four per cent of the land was allocated to the indigenous Palestinian majority who were never consulted on this, nor did they have anything to do with the diabolical suffering of the European Jews. The Zionists accepted partition with alacrity but never intended to honour the land allocation and the Palestinians understandably rejected a plan that ripped their homeland asunder.

This took place over sixty years ago. The result of Israel's June 1967 war of aggression was Israeli military occupation of the remaining twenty-two percent of the former mandate territory, including East Jerusalem, without any meaningful opposition from the West. Whilst apartheid shocked western sensibilities, Zionist colonial conquest was accepted ostensibly as a payback for Holocaust suffering and the absurd argument, still vociferously peddled by Biblical fundamentalists, that Israel constitutes a mere two-hundredth or 0.5 per cent of the vast land that the 'God of real estate' allegedly promised the ancient Israelites!

Palestinians within the West Bank and Gaza Strip are literally imprisoned under the most onerous conditions, suffering hardships and methods of control that are far worse than anything black South Africans faced during the most dreadful days of apartheid. In fact, any South African with integrity, visiting what amount to enclosed prison-ghettos under brutal military occupation, siege and collective punishment – imposed on behalf of a Jewish people that ironically suffered the Nazi Holocaust – will find stark similarities with apartheid immediately coming to mind; and even

more shocking, comparisons with some of the methods of collective punishment and control devised by tyrannies elsewhere, including the Nazis.

The Palestinian people's fate clearly mirrors that of South Africa's indigenous majority during the colonial wars of dispossession of land and rights, as well as the harsh discrimination and suffering imposed by apartheid, which was classified as a crime against humanity. Israel is as guilty in international and humanitarian law as the apartheid regime once was. Israel's illegal conquest and occupation, with the avaricious land grab represented by its monstrous apartheid wall and the relentless expansion of its illegal settlements (in violation of the Fourth Geneva Convention⁹), has reduced the West Bank to several disconnected pockets amounting to a mere twelve per cent of the land that formerly constituted Palestine. No wonder that ex-US president Jimmy Carter, South African cleric Archbishop Desmond Tutu and others compare the situation to apartheid and its infamous bantustan system, whereby just thirteen per cent of South African land was allocated to its indigenous people.

There is, however, one key difference between Israel and apartheid South Africa. Israel has sought to rid itself of the Palestinian workforce on its doorstep and, in an age of globalisation, is able to draw upon cheap labour from as far afield as Thailand and Romania instead. This used to be apparent on entering the Gaza Strip through the Erez Crossing, with its huge but underused reception centre, originally constructed to process the daily movement of twenty thousand Gazan workers who are no longer required by Israel. Indeed, Gazans faced starvation, bombardment and siege for over a thousand days (at the time of writing in 2010) – longer than the siege of Leningrad during the Second World War.

This makes for a situation in which segregation in Israel and its 'Palestinian' appendages – prison ghettos enclosed within Greater Israel – is far more severe but not different in essence from apartheid. Apartheid South Africa needed black labour; Israel has reduced its dependence on the Palestinian workforce as far as possible and applies all means to stifle the economy of the occupied territories, with the intention of completely driving out the remaining inhabitants. This is a merciless and ghastly process which can only be reversed by the resilience of a beleaguered people reinforced by international support.

South Africa's colonial-apartheid order lasted almost 350 years with many ebbs and surges of conquest. The Zionist colonial-settler project stems from the 1880s and has consequently been violently crammed into

a relatively shorter time, with shock waves of intense mass repression over the last six decades. The Israeli ruling class, corrupt and visionless like the die-hard proponents of apartheid in its ailing years, is finding that it can no longer rule in the old way. The Palestinians are not prepared to live under the old conditions. Here indeed, the CST thesis provides the Palestinian national liberation movement and all pro-Palestinian activists with the inspirational analogy of the anti-apartheid experience, as well as the strategy and the tactics of that struggle. What is needed is firm Palestinian unity behind bold and courageous national leaders, reinforced by the popular mass struggle of its people. The strategy must embrace progressive Israelis and a powerful international solidarity movement exerting pressure on Israel. Such a strategy – applied against apartheid – is waiting to crystallise. It will emerge with the growing boycott, divestment and sanctions (BDS) campaign, and the renewed energy that the Palestinian national liberation movement will undoubtedly generate.

As former beneficiaries of selfless international support, South Africans – with an anti-colonialist and anti-racist heritage – have a duty to encourage the international campaign and press for genuine negotiations for a peaceful solution in the interests of all Muslims, Christians and Jews living in the holy land. South Africa's experience bears testimony to the fact that previously adversarial groups, once locked in a seemingly intractable struggle, can find a way of crossing the Rubicon, talking to one another and reconciling to seek a mutually beneficial solution worked out between equals.

The importance of the CST characterisation is that it demolishes the dangerous charade that Zionism has established a democratic system and is itself a national liberation movement; it refutes the claims that both Israel and the Palestinians should therefore be treated equally by the international community in a balanced and even-handed manner. The CST thesis lifts the veil to expose the true nature of this historic conflict as a struggle for land and national rights and for full national determination and independence for the Palestinian people. CST exposes the charade of Israeli democracy.

Whilst the acceptance by Yasser Arafat's PLO of a state based on the 1967 borders (East Jerusalem, West Bank and Gaza) appeared to limit the outright struggle for the whole of former Palestine, Israel's reluctance (with US support) to accept the Oslo Accords has come to threaten the two-state option. Consequently, a revival of the full national demands of the Palestin-

ians has occurred, evident not only in the support Hamas has received, but also in the fact that Palestinian and some Jewish intellectuals are revisiting the original unitary, binational or single state option of equal citizenship and security for all, as in the example set by South Africa's democracy.

Notes

1. SACP (1962), emphasis added.
2. Herzl (1960: 88).
3. Quoted in Goldmann (1978: 99).
4. Winston S. Churchill, 'Zionism vs. Bolshevism: A struggle for the soul of the Jewish people', *Illustrated Sunday Herald*, 8 February 1920. Available at: <http://www.fpp.co.uk/bookchapters/WSC/WSCwrote1920.html>.
5. Elmessiri (2007).
6. 'JVP statement on divestment', Jewish Voice for Peace, 8 December 2004. See <http://www.jewishvoiceforpeace.org/content/jvp-statement-divestment>.
7. Statement at the plenary meeting of the United Nations General Assembly, New York, 9 November 1982.
8. UN Resolution 181 (II): Future government of Palestine was adopted on 29 November, 1947.
9. The Fourth Geneva Convention (the Geneva Convention relative to the Protection of Civilian Persons in Time of War) was adopted in August 1949 and defines humanitarian protection for civilians in a war zone. It also outlaws a concept of war in which all citizens can be considered to be combatants.

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PART FOUR:

BEYOND ETHNIC NATIONALISM



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Chapter Fourteen

The future between ideals and realities

Azzam Tamimi

Early in the sixth century the king of Yemen, named Dhu Nowas, and presumably some of his people, converted to Judaism. He changed his name to Joseph and assumed the role of defender of the Jews... By the sixth century, Jews were to be found in and near Mecca and Yathrib (Medina), the two important cities of Arabia. This part of the world was not organised politically into one unit; its population was still divided into tribes, even where the people lived close together in cities. The Jews of Arabia were also divided into about half a dozen different tribes, torn apart by jealousies and occasionally resorting to war. They differed from their pagan Arab neighbours in religion only.

– Solomon Grayzel, *A History of the Jews*, 1984¹

In the time of the Prophet, three large Jewish tribes, namely, Nadir, Qurizah, and Qainuqa', dwelt in the outskirts of Medina. The fact that the Prophet made an offensive and defensive alliance with them for the safety of the town shows that they were an important factor in the political life of those times. These colonies had their own teachers and centres of religious study. Judging by the few extant specimens of their poetry, these refugees, through contact with a people nearly akin to themselves, had become fully Arabicized both in language and sentiment. They, however, remained Jews in the most vital particular, religion, and it is probable that they exerted a strong influence over the Arabs in favour of monotheism.

– Shaikh Inayatullah, 1963²

Jewish prosperity and political influence at this time (ninth century) impacted on the empire of the Khazars, which had developed along the Caspian coast. Trapped between the Islamic and Byzantine empires, the pagan Khazari elite converted to Judaism late in the ninth century as a means to maintain its political independence, and integrate itself into the Jewish trading network.'

– Abramsky et al., 1986³

The myth of Jewish ethnicity

The quotes above are but a few examples of an abundance of evidence that shows claims of Jewish ethnicity to be utterly unfounded. Muslims, in particular, do not accept that Jews constitute a separate people or a distinct nation. Three terms in Qur'anic discourse are relevant here: Banu Isra'il (Children of Israel), al-Yahud (the Jews) and Ahl Al-Kitab (people of the Book). The first has a clear hereditary connotation and refers to the actual descendants of Jacob (Israel), son of Isaac (Ishaq), son of Abraham (Ibrahim). The fact that Jewish religious tradition began with the Israelites, the descendants of Jacob, is confirmed in the Qur'an:

And remember We took a Covenant from the Children of Israel [to this effect]: worship none but Allah, treat with kindness your parents and kindred, and orphans and those in need; speak fair to the people; be steadfast in prayer; and practise regular charity. Then did ye turn back, except a few among you, and ye backslide.⁴

Yet, according to the Qur'an, this religious tradition does not end with the Jews – or with Christians for that matter. Muslims, who believe that Muhammad is a messenger of Allah and the seal of the prophets, are told in the Qur'an:

Say ye, we believe in Allah, and the revelation given to us, and to Abraham, Isma'il, Isaac, Jacob, and the Tribes, and that given to Moses and Jesus, and that given to (all) Prophets from their Lord: we make no difference between one and another of them, and we bow to Allah [in Islam].⁵

The second term, al-Yahud (the Jews), refers to those who embraced the religious tradition attributed to Moses. Thus the Qur'an states:

Those who believe [in the Qur'an], and those who follow the Jewish scriptures], and the Christians and the Sabians, any who believes in Allah and the Last Day and works righteousness shall have their reward with their Lord; on them shall be no fear, nor shall they grieve.⁶

It can be argued that many of those who believe in the Jewish scriptures have no direct link to the Israelite lineage. In other words, the Jews of some territories are more directly related to the Muslims and Christians of that territory than to Jews from other territories.⁷

'People of the Book' is a more inclusive term; it usually refers to Christians and Jews but encompasses all those, apart from Muslims, who believe in divine revelation. Muslims believe that both Jews and Christians deviated from the path prescribed to them by the prophets sent by God, from Moses to Jesus. Yet these three communities coexisted and worshipped freely. The key Qur'anic rule that 'there is no compulsion in faith'⁸ granted individuals and communities living within the world of Islam the right to freedom of choice. It was this very rule that benefited Islam the most. Religious tolerance exposed these communities to the new faith and created a safe milieu for dialogue and interaction. The freedom enjoyed by Jews and Christians under Islam was not found anywhere else in the world until recent times. While some Jews and Christians remained loyal to their inherited faiths, many were so impressed by Islam and the Muslim attitude that they chose to convert willingly. Thus, in many parts of the Muslim world, it is not uncommon to find Muslims, Christians and Jews who hail from the same tribes or families.

The Islamic recognition of Judaism as a religion of 'divine origin', and of Jews as 'people of the Book', made countries ruled by Muslims safe havens for Jews who were oppressed in non-Islamic lands. A large proportion of the Jews who had been banished from Spain, following its fall into Christian hands in the late fifteenth century, sought refuge in Muslim territories in North Africa or in Ottoman Turkey.

It is not surprising, therefore, that until less than a century ago the Muslim world saw Jewish religious communities as an inseparable part of the social and cultural lives of the Islamic societies in which they lived.⁹ In the Arabic-speaking regions, no one spoke of Arabs, Jews or Christians but only of Arabs who were Muslim, Christian or Jewish.

Few people would dispute the fact that, until the beginning of the twentieth century, Muslims, Christians and Jews coexisted peacefully throughout much of the Muslim world. The Islamic caliphate, whose territory extended across three continents, provided a milieu of tolerance and a system that guaranteed protection for Jews and Christians. Islam recognised these as legitimate communities participating on an equal footing with Muslims in building the Arab-Islamic civilisation on which the scientific and philosophical foundations of modern western civilisation were built.

Muslims, Jews and Zionists

The Muslim perception of Jews as 'people of the Book', in accordance with the 'Covenant of God and His Messenger', remained unchanged until the

European-born Zionist movement started recruiting Jews from Muslim lands into a project that was seen by Muslims as a colonial onslaught on their faith and homeland. The change in Muslim attitudes toward Jews came as a reaction to the claims of the Zionist movement that it represented Jews and served Judaism. Despite the secular origins of the Zionist project and the atheism of many of its founding fathers, Zionist discourse used religious terms to justify the creation of the State of Israel in Palestine and the dispossession of Palestinians. Zionist pioneers invoked the Bible (although few of them showed any real respect for it) in a bid to bestow religious legitimacy on their project and to gain the support of the world's Jews, most of whom were initially opposed to political Zionism.¹⁰

It is by virtue of the Zionists' claim of the ownership of Judaism and their justifying their colonial project in the name of delivering Jews from their suffering that Israelis are, quite understandably, referred to by Palestinians and other Arabs as *al-Yahud*, the Arabic equivalent of 'the Jews'. Terms such as 'Zionist' or 'Israeli' figure more in the writings and conversations of the secularly cultured Palestinian elite, who are conscious of the damage that using politically incorrect language can cause. Such politically correct terms are not prevalent in the public lexicon and have, until recently, been virtually absent from Islamic discourse. Setting aside political correctness, Palestinians call Israelis what Israelis claim to be: Jews. However, when Arabic literature referring to the Israelis as *al-Yahud* is translated into European languages, it tends to sound antisemitic and to offer Zionists ammunition with which to attack their Palestinian critics.

A good example of this is the Hamas discourse vis-à-vis the conflict in Palestine. In a series of 'testimonies' broadcast on Al Jazeera's Arabic satellite station between 17 April and 5 June 1999, Hamas founder Sheikh Ahmad Yassin referred to the Israelis interchangeably as both *al-Isra'iliyun* (the Israelis) and as *al-Yahud* (the Jews). For example, in his second 'testimony' broadcast on 24 April 1999 he said:

The Israelis usually deal with the Palestinian people individually and not collectively. Even inside the prisons, they would not agree to deal with [the prisoners] except individually. However, we forced our will on them despite this, and refused to deal with them except through a leadership elected by the Palestinian [prisoners] to face the Jews and resolve the problems with them.

Leah Tsemel, an Israeli lawyer who has been defending Palestinians in Israeli courts for some thirty years, notes that her clients routinely describe soldiers or settlers as al-Yahud. They complain, for instance, that 'al-Yahud took my ID card', 'al-Yahud hit me' or 'al-Yahud destroyed this or that'. She expresses anxiety at the fact that Israel, in the minds of its Palestinian victims, becomes identified with all Jews in the world and fears, therefore, that all Jews in the world may be seen as soldiers and settlers.¹¹

Indeed, if one takes into consideration the fact that a large proportion of the Jewish diaspora identifies with Israel and lobbies the world to support it against the Palestinians, the Jewish character of the Zionist project is further reinforced in the minds of the Palestinians. And this is not confined to Palestine but exists across the region where Jews once lived in large numbers but have, with few exceptions, been long gone. Following the creation of the State of Israel in Palestine in 1948, Jews living in various Arab countries were encouraged, and at times coerced, into migrating to Israel which, after having expelled close to a million Palestinians, needed to expand its Jewish population.¹²

Iraqi, Yemeni and Moroccan Jews provided a source of cheap labour and performed functions not 'befitting' the Ashkenazim (eastern European Jews). The Ashkenazim presided over the Zionist colonial project in Palestine and tended to see themselves as first-class citizens of the newly founded 'Jewish' state, in contrast to Sephardic Jews who came from Arab countries.¹³

It is no wonder that a sizeable proportion of Muslims, Arabs and Palestinians conceive of the problem in Palestine as religious strife between Jews and Muslims. The continued association of Israel with Jews, and Jews with Israel, only reinforces the conviction of many Muslims that the Middle East conflict between Palestinians and Israelis is indeed a religious one. Many Arabs and Muslims find it difficult to believe that anti-Zionist Jews, who not only criticise Israel but also refuse to recognise its legitimacy, exist.¹⁴

The Hamas Charter,¹⁵ which reads as being profoundly anti-Jewish, expressed the general conviction of Palestinian Islamists at the time of its publication. In a number of its articles, the Charter attempts to explain the conflict in terms of a global conspiracy. But, in doing so, it refers to nothing more convincing than *The Protocols of the Elders of Zion*. This document, of unknown origin, purports to represent the ideas of a secret society of Jewish elders on world domination and to explain why Jews occupied Palestine and banished its people. What the authors of the Charter wished

to convey was a direct correlation between an ongoing Jewish quest for global domination and the occupation of Palestine. Following a common trend among Muslim writers of the time, the authors invoked the Qur'an and Hadith (statements of the Prophet Muhammad) to substantiate claims of an ongoing Jewish conspiracy against Islam and Muslims that goes back to the early days of Islam.

Although the Hamas Charter portrays the conflict in Palestine as a religious one, Hamas leaders have expressed a different understanding. The founder of the movement, Sheikh Ahmad Yassin, told a gathering in Gaza:

I want to proclaim loudly to the world that we are not fighting Jews because they are Jews! We are fighting them because they assaulted us, they killed us, they took our land and our homes; they attacked our children and our women; they scattered us. All we want is our rights. We don't want more.¹⁶

'This is what we struggle for' is the title of a document authored by the Hamas Political Bureau in the mid-1990s. It was the Hamas answer to a question put to the movement's leadership by a European diplomatic mission in Amman, Jordan about what Hamas stood for. The document begins with the following assertion: 'The Islamic Resistance Movement [Hamas] is a Palestinian national liberation movement that struggles for the liberation of the Palestinian occupied lands and for the recognition of Palestinian legitimate rights.'¹⁷

Just ten days before his assassination by Israel on 17 April 2004, the top leader of Hamas in the Gaza Strip, Abd Al-Aziz al-Rantisi, explained¹⁸ that the Hamas strategy was underpinned by four principles:

1. We have a homeland that is in its entirety usurped; we cannot concede one inch of it;
2. there is an obvious imbalance of power in favour of the Zionist enemy;
3. we do not possess the armament our enemy possesses but we possess a faith that generates a will that does not recognise defeat or retreat short of accomplishing its goals, a faith that demands sacrifice for the sake of faith and homeland; and
4. there is an Arab and Islamic Ummah that is weak, feeble and broken and therefore cannot support the people of Palestine, and there is an international community that is hostile to the hopes and aspirations of the Palestinian people and that supports Zionist terrorism.

Al-Rantisi went on to stress that the Hamas strategy proceeds along two parallel lines: firstly, resisting and confronting Zionist occupation and aggression; and secondly, preserving the unity of the Palestinian people and protecting the Palestinian ranks from the threat of infighting which detracts from resisting the occupation.

Expressing a determination to continue the struggle to liberate Palestine and regain Palestinian rights, Hamas leader Khalid Mish'al told a Canadian TV journalist that liberating Palestine 'does not mean that the Palestinian people, or we in Hamas, want to kill the Jews or want to throw them into the sea as Israel claims.' He denied categorically that there was a war against Jews. 'No, we do not fight Jews because they are Jews. We fight them because they stole our land and displaced our people; they carried out an aggression. We resist this Zionist project which is hostile (to us).' As for Jews who are not fighting the Palestinians, Mish'al said: 'I have no problem with them just as I have no problem with peaceful Christians or peaceful Muslims.' He went on to explain that 'if a Muslim were to attack me and steal my land, I have every right to fight back. This applies to all others irrespective of their race, identity or religion. This is our philosophy.'¹⁹

In an article in *The Guardian* soon after Hamas won the 2006 legislative elections in Gaza and the West Bank, Mish'al had this message for the Israelis:

We do not fight you because you belong to a certain faith or culture. Jews have lived in the Muslim world for thirteen centuries in peace and harmony; they are in our religion 'the people of the Book' who have a covenant from God and His Messenger Muhammad (peace be upon him) to be respected and protected. Our conflict with you is not religious but political. We have no problem with Jews who have not attacked us – our problem is with those who came to our land, imposed themselves on us by force, destroyed our society and banished our people.²⁰

The Hamas alternative

Born out of the intifada of 1987, Hamas declared that it had emerged 'in order to liberate the whole of Palestine, all of it'.²¹ The movement came into existence partly in response to the oppressive treatment Palestinians had suffered under Israeli occupation in the West Bank and Gaza and partly because Fatah (the Palestinian national liberation movement) had

faltered. Like Fatah before it, most Hamas members and supporters are refugees or the children of refugees, whose homes are in the appalling camps in which they were born or where they grew up. Their homes are on the other side of the so-called 'green line' – areas which Jewish immigrants from Europe and elsewhere in the world now colonise. Like millions of Palestinians inside Palestine and in the diaspora, the founders of Hamas felt betrayed when the Fatah leadership, having hijacked the PLO, succumbed to international pressure and agreed to recognise Israel's right to exist. In effect, Fatah gave away the right of Palestinians to return to their homes in exchange for a promised Palestinian state alongside Israel on a territory whose size and borders are yet to be negotiated. This is a position most Palestinians consider unacceptable. Hence the emergence of Hamas, which derives its legitimacy principally from refusing to accept Israel's right to exist on any part of Palestine.

* * *

Having established that the conflict in Palestine is not a religious one, it is important to note that Palestine is not without religious significance. Not only is it an Islamic land whose occupation by a foreign power should be resisted, it is also the home of Islam's third-holiest mosque, Al-Aqsa. This renders the problem not just a Palestinian or an Arab one but also an Islamic one. Muslim scholars, with few exceptions, have expressed their absolute opposition to recognising the legitimacy of a 'Jewish state' in Palestine. Over the past century, ulama (Muslim scholars and jurists) have issued numerous fatawa (religious edicts) declaring any agreement that legitimises the occupation of any part of Palestine null and void.

The first fatwa on this issue pre-dates the creation of the State of Israel in Palestine. On 26 January 1935, over 200 Islamic scholars came to Jerusalem from around Palestine to issue a fatwa prohibiting the forfeiture of any part of Palestine to the Zionists. Similar conferences were held and fatawa issued at various junctures in the history of the Middle-East conflict. During the Nasserist era in Egypt (from 1952 to 1970), the prestigious al-Azhar Islamic institution in Cairo prohibited any recognition of the Israeli state or any peace making with it. Since then, Sheikh Yusuf al-Qaradawi, one of the most authoritative Islamic scholars of contemporary times, has repeatedly expressed this position, affirming that it has been unanimously adopted by more than 300 Islamic scholars from around the Muslim world

during a meeting of the Islamic Jurisprudential Council in Kuwait in the mid-1990s. He explained that the fatwa which prohibited the recognition of Israel was based on the consideration that 'Palestine is an Islamic land that cannot be forfeited voluntarily'. He added that the same fatwa was re-issued at a later Islamic jurisprudence conference in Bahrain.²²

In conforming to this Islamic position, Hamas cannot accept any settlement that entails recognising Israel as a legitimate entity. In the *Guardian* article cited earlier, Hamas' Mish'al told his Israeli readers:

We shall never recognize the right of any power to rob us of our land and deny us our national rights. We shall never recognize the legitimacy of a Zionist state created on our soil in order to atone for somebody else's sins or solve somebody else's problem.²³

Yet Hamas can legitimately afford to offer a temporary settlement based on hudnah (a long-term truce). Mish'al's article in *The Guardian* offered the Israelis an opportunity to put the conflict on hold. 'If you are willing to accept the principle of a long-term truce, we are prepared to negotiate the terms. Hamas is extending a hand of peace to those who are truly interested in a peace based on justice.'

The offer of a hudnah with Israel is believed to have first been made in the early 1990s by the then Amman-based head of Hamas' Political Bureau, Musa Abu Marzuq. His proposal was published by the Amman weekly *Al-Sabeel*, the organ of the Jordanian Islamic Movement, in February 1994. At around the same time, Hamas founder, Sheikh Ahmad Yassin, made a similar reference to hudnah from his prison cell in Palestine. He proposed the hudnah as an interim solution to the conflict between the Palestinians and the Israelis. Both Abu Marzuq and Sheikh Yassin have since repeated this offer on several occasions but have failed to interest the Israelis. In recent years, hudnah has been routinely referred to by various Hamas spokespersons.

Hudnah is recognised in Islamic jurisprudence as a legitimate and binding contract whose objective is to cease fighting with the enemy for an agreed period. The truce may be short or long depending on mutual needs or interests.²⁴ Such a truce would be different from the Oslo Accords under which the PLO recognised the State of Israel and its right to exist. The difference is that under the terms of hudnah, the issue of recognition will not come up. Hamas cannot, as a matter of principle, accept that the land the Israelis seized from the Palestinians has become theirs; the movement has

no authority to renounce the right of Palestinians to return to the lands and the homes from which they were forced out in 1948 or at any time since. It can, however, say that, under the present circumstances, the best it can do is regain some of the land lost and secure the release of prisoners in exchange for a cessation of hostilities. This would be somewhat similar to the IRA agreeing to negotiate an end to the conflict in Northern Ireland without recognising British sovereignty over the territory. Irish Catholics continue to hope that one day the whole of Ireland will be united and that British rule will end. Negotiating an end to violence in Northern Ireland was never conditional upon the IRA first renouncing its dream of reuniting Ireland. Had this been the case, peace would never have prevailed.

In justifying hudnah, Hamas leaders point to the treaty between Muslims and the crusaders in the last decade of the twelfth century. That conflict had lasted for nearly 200 years in and around Palestine. Of particular interest to Hamas in this regard is the Ramleh treaty, which Salah Al-Din al-Ayyubi (Saladin) concluded with King Richard the Lionheart of England on 1 September 1192. The truce, which marked the end of the third crusade, held for a period of three years and three months, during which the crusaders maintained control of the coast from Jaffa to Acre, but were allowed to visit Jerusalem and had the freedom to conduct commercial activities with Muslims.

Reference is often made, too, to the first hudnah in the history of Islam. Known as al-Hudaybiyah, after the location on the outskirts of Makkah where it was concluded, the agreement saw the suspension of hostilities between the Muslim community under the Prophet Muhammad's leadership and the tribe of Quraysh inside Makkah. Both sides agreed that the duration of the hudnah would be ten years. However, it ended less than two years later when the Quraysh breached it by killing some members of the tribe of Khuza'ah, who were allies of the Muslims.

Once hudnah is concluded it is considered sacred, and fulfilling its obligations becomes a religious duty; for as long as the other side observes it, the Muslim side cannot breach it. Doing so would be considered a grave sin. As is the case with other international treaties, a hudnah is renewable by mutual agreement upon the expiry of its term.

The long-term hudnah proposed by Hamas stipulates an Israeli withdrawal to the borders of 4 June 1967 as a first condition. This means a return of all the land occupied by the Israelis as a result of the six-day war, including East Jerusalem.²⁵ Such a measure would entail the exit of

all Jewish settlers from those areas.²⁶ In addition, Israel would have to release all Palestinians held in its prisons and detention camps. It is highly unlikely that Hamas would settle for anything less in exchange for a long-term truce that may last for a quarter of a century or longer. While Hamas leaders who favour the hudnah have left open the length of its term, considering this to be a subject for negotiation with the Israelis if they accept the principle, they generally suggest that the future should be left to future generations.

Another scenario posited by some Hamas intellectuals is that the world may change so much that Israel may not want, or have the ability, to continue to exist as a Zionist entity. Clearly Muslims, Christians and Jews could again live together in the region as they had lived for many centuries before. What Islamists would like to see is an Islamic state, a caliphate, encompassing much of the Middle East, and thus undoing the fragmentation forced on the region during nineteenth-century colonialism by the Sykes-Picot agreement of 1916. The entities created in that process became separate 'territorial states' after the collapse of the Ottoman order in the second decade of the twentieth century. While Israel as an exclusive state for Jews in Palestine is something an Islamic movement such as Hamas can never recognise as legitimate, Jews can easily be accommodated as legitimate citizens of a multi-faith, multi-racial state governed by Islam. The post-Israel scenario, which has become a subject of debate within the movement, is one that envisages Palestine, or a united Middle East, with a Jewish population but no political Zionism. This vision is inspired by the South African model of reconciliation which ended apartheid but allowed all South African communities to live together in one country. Zionism is often equated with apartheid and its removal is seen as the way forward if Muslims, Christians and Jews are ever to peacefully coexist in the region. It seems impossible to translate such a scenario into reality without a long-term hudnah that, perhaps for the lifetime of an entire generation, gives people in the region an opportunity to restore some normality to their lives.

Those who are sceptical about the concept of hudnah may argue that it is nothing but a prelude to finishing Israel altogether. But without it the Palestinians will still dream of the day on which their country is free and their right of return to their homes will be restored. Without a hudnah there is no guarantee that they will cease to pursue that end using whatever means are at their disposal. The advantage of the hudnah is that

it brings the bloodshed and suffering to an end for a given period. In the meantime, each side can be allowed to dream of what they wish the future to look like, while keeping the door open to all sorts of options, remembering that, in most circumstances, the best option is the least costly one.

Notes

1. Grayzel is citing Ibn Ishaq, the renowned historian and biographer of the Prophet Muhammad. Dhu Nowas was the son of Tuban As'ad Abi Karib, also known as the Tubba, who invaded Yathrib (Al-Madinah) and brought back two rabbis from among the Jewish inhabitants of the town. Some of the people of Yemen, including Dhu Nowas, later converted to Judaism because of these two rabbis (see Ibn Kathir, *Tafsir Al-Qur'an*, vol. 4: 495).
2. Shaikh Inayatullah is cited in MM Sharif (1963), *A History of Muslim Philosophy, Proceedings of the Pakistan Philosophical Congress*, Vol. I, p. 134.
3. Abramsky et al. are quoted in Rose (2004: 48).
4. Al-Qur'an, Chapter 2, verse 83. Translation by Abdullah Yusuf Ali (1992). *The Meaning of the Holy Qur'an*. Brentwood, Maryland: Amana Corporation.
5. Al-Qur'an, 2: 136.
6. Al-Qur'an, 2: 62.
7. No one has written more or better on this subject than the late Egyptian professor, Abdulwahab Elmessiri. The second volume of his eight-volume encyclopaedia on Jews, Judaism and Zionism, published in Arabic, is dedicated to discussing the problems and complexities associated with various Jewish groups. Elmessiri also published a book entitled: *Man Huwa Al-Yahudi?* [Who are the Jews?].
8. Al-Qur'an, 2: 256. As translated by Abdullah Yusuf Ali, the verse reads: 'Let there be no compulsion in religion: Truth stands out clear from Error. Whoever rejects Evil and believes in Allah hath grasped the most trustworthy handhold that never breaks. And Allah heareth and knoweth all things.'
9. Rose (2004: 64).
10. For the secular origins and biblical justifications of political Zionism, see Elmessiri (1997), Prior (1997) and Rose (2004).
11. See: http://www.democraticunderground.com/discuss/duboard.php?az=view_all&address=124x36880. It is ironic that what is perceived by some Jews as Arab antisemitism is nothing compared to the anti-Arab rhetoric predominant in Israeli political and religious circles. To cite one ex-

ample: in August 2000, Rabbi Ovadia Yosef, the former Sephardic Chief Rabbi of Israel, described the Palestinians as 'snakes', adding, 'God regrets creating the Palestinians'.

12. For a personal account of how Iraqi Jews were conned into migrating to Palestine, see Giladi (1995). About his book, Giladi says: 'I write this book to tell the American people, and especially the American Jews, that Jews from Islamic lands did not emigrate willingly to Israel; that, to force them to leave, Jews killed Jews; and that, to buy time to confiscate ever more Arab lands, Jews on numerous occasions rejected genuine peace initiatives from their Arab neighbors. I write about what the first prime minister of Israel called "cruel Zionism". I write about it because I was a part of it.' Thus Giladi delivers the painful truth about the Zionist rape of Palestine, and about the deliberate fostering of antisemitism among Iraqi communities during David Ben-Gurion's political career in order to encourage Iraqi Jews to immigrate to Israel. The Zionists' goal was to source Jewish labour from the Middle East to work the newly vacated lands and to fill Israel's military ranks with conscripts to defend these lands. After being censored in both the USA and Israel when it was first published, the book was republished by Dandelion Books in 2003.
13. Sephardic Jews have suffered decades of discrimination in Israel. Treated as second-class citizens, they have had to settle for inferior housing and far lower standards of education and health services. According to Phyllis Bennis, head of the Middle East Project at the Institute for Policy Studies in Washington, DC, there are four levels of citizenship in Israel, the first three being various levels of Jewish participation in Israeli society, which are thoroughly racialised. At the top of the pyramid are the Ashkenazi, the white European Jews. At the level of power, the huge contingent of recent Russian immigrants – now about twenty per cent of Israeli Jews – are being assimilated into the European-Ashkenazi sector, though they are retaining a very distinct cultural identity. At the next level, now probably the largest component of the Jewish population, are Mizrahi or Sephardic Jews, who are from the Arab countries. At the bottom of the pyramid are Ethiopian Jews, who are black. The poorest parts of Jewish West Jerusalem are predominantly Ethiopian. This social and economic stratification has taken shape throughout the last fifty years as different groups of Jews from different part of the world have come to Israel for very different reasons. So, while the divisions reflect national origins, they play out in a profoundly racialised way. Yemeni Jews, in particular, have faced extraordinary discrimination. They were transported

more or less involuntarily from Yemen to Israel. On arrival they were held in primitive camps and many Yemeni babies were stolen from their mothers and adopted by Ashkenazi families. In the early 1990s, a high-profile campaign began to try to reunite some of those shattered families. Beneath all these layers of Jews come the Palestinian citizens. See 'For Jews Only: Racism Inside Israel', an interview with Phyllis Bennis by Max Elbaum. http://www.zmag.org/meastwatch/for_jews_only.htm.

14. In an unprecedented broadcast on Arab television on 1 May 2002, Al Jazeera hosted Rabbi Yisroel Dovid Weiss, spokesperson for the Neturei Karta International, an organisation of orthodox Jews who oppose Zionism. His ninety-minute live appearance on Ahmad Mansour's *Bila Hudud* (Without Frontiers) weekly show shocked many viewers. Some of them were so sceptical that they suggested that Weiss was a Hamas member disguised as a rabbi. In 1988, when the Hamas Charter was published, it was unthinkable that a leading Hamas figure would meet with a Jewish Rabbi. Yet, on 21 March 2006, the speaker of the newly elected Palestinian Legislative Council (PLC), Dr Aziz Duwayk, received a delegation from Neturei Karta International led by Rabbi Moshe Hirsh in his office in Ramallah. In the meeting, reported on the PLC website, Duwayk stressed that the Palestinian people can never be against Jews and the Jewish people. He added: 'Our people are against the Zionist movement and not against the Jews.' He explained that Muslims would never contemplate inflicting harm on Jews or Christians and that Jews had lived in the Arab and Muslim states for centuries in peace and mutual understanding. He went on to affirm that the Palestinian people's problem is with the Zionist movement, which 'refuses to recognise our people and their legitimate national rights'. The meeting is reported on: <http://www.pal-plc.org>.
15. For a copy of this document, see <http://qassam.ps/> or <http://www.hamasinfo.net/en/#>.
16. This quote is from Sheikh Ahmad Yassin's address to students at the Islamic University in Gaza, 22 October 1997. In the early hours of Monday 22 March 2004, as he was leaving the neighbourhood mosque after performing the dawn prayers at the end of a night of qiyam (vigil), an Israeli helicopter fired a missile at the Sheikh, blowing him and several other worshippers to pieces.
17. The full text of the document was translated and published as Appendix I in Tamini (2006). See also Appendix II in the same book, which is an English translation of another Hamas document, written in 2000, with the aim of introducing the movement to the world.

18. Abd Al-Aziz Al-Rantisi, interviewed by the editor of the al-Qassam web-site, 7 April 2004. See <http://qassam.ps/>.
19. Khalid Mish'al, interview with Olivia Ward, Beirut, December 2004. Parts of the filmed interview were incorporated into a documentary produced by Shelley Saywell entitled *Hamas Behind the Mask*, (Bishari Film Productions, 2005).
20. Khalid Mish'al, 'We will not sell our people or principles for foreign aid', *The Guardian*, 31 January 2006.
21. Ghosheh, interview, 2003.
22. Sheikh Yusuf Al-Qaradawi, interview with Al-'Azab Al-Tayyib Al-Tahir, Qatari, *Al-Rayah* newspaper, Doha, 27 January 1999. (The exact dates of the conferences are not provided in the interview.)
23. Khalid Mish'al, 'We will not sell our people or principles for foreign aid' *The Guardian*, 31 January 2006.
24. Sheikh Yusuf Al-Qaradawi, interview with Al-'Azab Al-Tayyib Al-Tahir, Qatari, *Al-Rayah* newspaper, Doha, 27 January 1999.
25. On 5 June 1967, Israel launched what it claimed was 'a pre-emptive defensive strike' against Egypt, Syria and Jordan that lasted six days during which it occupied what had remained of Palestine (the Gaza Strip and the West Bank), the Sinai Peninsula and the Golan Heights; more than 250 000 Palestinians were left homeless.
26. Jewish settlements in the Gaza Strip had already been evacuated and dismantled. The implementation of the plan that ended Israeli occupation, though not overall control, of the Gaza Strip began on 15 August 2005. On that day, former Israeli Prime Minister Ariel Sharon opted for a unilateral withdrawal plan after Israel's occupation of the Gaza Strip became too costly for his administration to maintain both economically and politically. Upon the completion of the Israeli withdrawal, Hamas proclaimed victory, attributing the Israeli decision to the success of its military strategy.

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Chapter Fifteen

Another state of being: Jewish identity and minority status in a democratic Palestine

Steven Friedman

If conventional wisdom is to be believed, the idea that Jews might survive culturally and physically as a minority in a Palestinian state is a dangerous fantasy. But if Jewish tradition and experience is to be believed, there is nothing odd – let alone fantastic – about the possibility.

A core Zionist assumption is that Jewish survival hinges on Jews maintaining a specifically Jewish state; without this, it is claimed, Jews face the constant threat of the genocidal violence unleashed by Nazism – or, at least, of constant persecution. As one response to American Jewish scholar Tony Judt's¹ criticism of an ethnic state had it:

Sixty years after the attempt to wipe out the Jewish people in Europe, after which the countries of the world were kind enough to allow Holocaust survivors to build a national home for themselves, along comes a historian... and proposes that the Jews commit suicide.²

While this claim that a state is the only plausible antidote to the threat of extinction is by far the dominant Zionist concern, an ethno-nationalist state is also often held to be essential for the maintenance and expression of an authentic Jewish identity: political Zionism has, therefore, been described by some of its academic adherents as the 'national liberation movement of the Jewish people'.³ These assumptions are a core obstacle to a just and democratic resolution of the Palestinian conflict. Not only do they reject the notion of a single, democratic polity shared by Jews and Palestinians, they also make more limited attempts at accommodation impossible by constantly reinforcing a sense of threat within the Jewish Israeli mainstream and, as a consequence, a demand for 'security' at virtually any cost to ward off the danger. This has enabled successive Israeli governments to pass off virtually any measure inimical to Palestinian interests as a 'security' precaution,⁴ which may at least partly explain the continuing rightward shift in Jewish Israeli politics. Continued Palestinian resistance is portrayed as an existential threat (and its failure to disap-

pear is seen to demand ever more extreme measures to eliminate it). While critics of a single democratic state often cite this Israeli assumption as an argument for a 'two-state solution' on the grounds that Jewish Israelis will never relinquish the protection of an ethnic state, it increasingly presents itself as an abiding obstacle to any sort of solution.

As long as Jewish survival is equated with the maintenance of an ethnic state, no resolution that might win sustained Palestinian loyalty is possible. The rigidity of the Jewish Israeli equation of ethnic statehood with safety, often cited as an eternal obstacle to a single state, is in reality also a powerful argument against the viability of a 'two-state solution'. As long as this equation persists, it seems highly implausible that a separate Palestinian state will appear to mainstream Israeli opinion as a viable guarantor of the security of the Israeli state. And if the view that ethnic statehood is integral to Jewish survival begins to erode, then so does much of the rationale for two separate states. The insistence that without a state of their own Jews are in constant peril is thus an obstacle to any settlement, even one which concedes the principle of Jewish ethnic statehood. This means that accepting the principle of Jewish ethnic statehood on pragmatic grounds, arguing that only this scenario offers any prospect of a settlement, is a strategy doomed to fail. Prospects for justice and peace rest, then, on positing a future in which Jewish statehood will no longer be seen as essential to Jewish survival and in which minority status in a democratic state will be seen as an appropriate means of achieving Jewish security.

An obvious objection to this approach is that it seems to deny Palestinian agency by making Jewish opinion a precondition for a just and peaceful end to the suppression of Palestinian rights. It is therefore important to stress that the analysis presented here assumes that changes in Jewish opinion are likely only if there is a fundamental challenge to the prevailing balance of power and that this requires an effective Palestinian campaign to deprive Zionism of its legitimacy. This is not the place to discuss the strategies which might achieve that, save to say that the emergence of the Boycott Divestment and Sanctions (BDS) movement holds out the prospect of a new Palestinian politics that can offer more effective resistance to ethnic domination and might well generate the secular democratic political organisation required for that domination to end. But change in Palestine, as was the case in South Africa, is not purely a matter of the victims of ethnic domination mustering enough strength to defeat the system – it depends also on the emergence of divisions within the dominating group.

In Palestine, as in South Africa, pressure is required to force the dominant group to reassess its options. But the military strength of the Israeli state means that this pressure is unlikely to overthrow the system of domination: its purpose is thus to force those who preside over it to reconsider their options and to negotiate a settlement with Palestinian leadership. It follows clearly from this that change will require a reassessment of Zionist options. The question of whether mainstream Jewish understandings of identity and security are capable of adjusting to the possibility of a shared state with a Palestinian majority is crucial to prospects for a settlement.

In this chapter I will argue that a reassessment of Jewish statehood, which makes minority status in a democratic state acceptable, is plausible and may even be inevitable. I will try to show that Jewish history, culture and religion can be understood in ways which point in anti-Zionist directions, and that it is more than possible to imagine a future in which these alternative views come to dominate – as they did little over half a century ago. I will seek to do this by comparing the Zionist view with the dominant view of white Afrikaners under apartheid and then examining interpretations of Jewish history and culture which may serve as usable challenges to Zionism when pressure on the system begins to increase.

Two special peoples: Zionism and Afrikaner nationalism

Comparisons between Zionism and white rule in South Africa are regularly attacked as simplistic and misleading. Some of the critique is pure political polemic – an attempt to deny the claim that Zionism's effect on Palestinians is morally equivalent or worse than apartheid.⁵ Here the purpose is purely to provide ideological succour to Zionism. The discriminatory effects of Zionism have been documented by many authors⁶ and the moral argument will not be repeated here. Nor is this chapter concerned to determine which system is more inimical to human rights. The key concern here is analytical and strategic: scholars have argued against the South African analogy not on the grounds that Zionist ethno-nationalism is morally superior to apartheid but that it has taken a very different form and that this means that Zionism will not be defeated by the same strategies as those which undid white rule in South Africa.⁷

This argument points out clear strategic differences between the two, chief among them the reality that the Israeli economy does not depend on Palestinian labour while the apartheid economy clearly did depend on black labour. This imposes on Palestinian organisations a constraint which resist-

ance to apartheid did not face. But, while this analysis is obviously correct in pointing out some real differences between the two societies, this does not preclude the use of effective pressure against Zionism – which may suffer from other weaknesses that apartheid did not face, such as dependence on a diaspora which may prove less committed to resisting change than the Israeli state. Nor does it preclude the possibility that, when pressure on Zionism begins to mount, its adherents and the state apparatus which sustains it may prove as open to adjusting their ‘non-negotiables’ as Afrikaner nationalists did. That it can do so is the argument presented in this chapter: I contend that sustained political, diplomatic, social and economic pressure can ensure a change in Zionist strategic calculations which will, as in South Africa, ensure that a common democratic polity in which Jews may be a minority becomes an acceptable strategic option.

Mything history: Zionist and Afrikaner nationalist ideologies

Many of those who dispute the analogy between Afrikaner Nationalism and Zionism tend to offer an ahistorical and romanticised account of the former, which is portrayed as a pragmatism which contrasts sharply with the rigid essentialism of Zionism. Thus one analysis asserts that South Africa was more receptive to a settlement because ‘even the racists understood that the country could not exist without the Black population’ and ‘almost nobody proposed to partition the country between the Blacks and the Whites’.⁸

This is a fundamental misunderstanding of apartheid and the ideology which underpinned it. Intrinsic to the system was the notion of rigid territorial separation which, while never achieved, was the *raison d’être* of the system and the rationale for most of the segregationist measures which it imposed.⁹ Partition was not a marginal proposal but official government policy; it sought to confine the black majority to thirteen per cent of the country’s land area and to admit to ‘white South Africa’ only those black people whose labour was required. Apartheid failed in its separationist endeavour but not for want of trying. Its architects insisted that the country could exist without black people (except presumably for migrant labourers); in the 1970s one cabinet minister infamously declared that it was apartheid’s aim to ensure that there would be ‘no black South Africans’.¹⁰ The apartheid state was forced to concede a permanent black presence in ‘white’ South Africa by intractable reality and only after the demographic and economic tide had become unstoppable. Zionism could well make equally dramatic adjustments if its project too began to unravel.

It has also been argued that Zionism is more than simply a colonial world view (even if it may have affinities with other colonialist world views) because it springs from an ideology of indigeneity based on claims that historic Palestine is the ancient home of the Jewish people¹¹ and that there is, therefore, a deep affinity between the people and the land. Colonists, of course, do not claim to be indigenous and can therefore return home if the demands of subject people become too loud. If white South Africans indeed see themselves as sojourners, while Jewish Israelis see themselves as a people connecting with their historic birthplace, prospects for a strategic retreat that would allow a single polity for Jews and Palestinians may well be a chimera.

But Afrikaner myths of indigeneity were strong too, even if they could call on only a 300-year stay in the land (beginning in 1652). The term 'Afrikaner' means 'African' and was embraced by white colonists of Dutch or French Huguenot descent to express their claim to be indigenous to the continent. Afrikaner elites would argue repeatedly that whites could not include blacks in a common polity because 'this is our country and we have nowhere else to go' or that they were being misunderstood by a world opinion which failed to recognise their status as 'white Africans'. For decades it was claimed that Afrikaners did not emigrate because it was impossible to retain Afrikaner identity outside the (promised?) land of South Africa.

Nor does the parallel end there. Afrikaner nationalists, like some Zionists, saw a higher purpose in domination, insisting that they too had been selected by God to rule – early Afrikaner nationalists in particular insisted on drawing analogies between the Israelites of the Bible and the Afrikaners as 'People of God' in a hostile environment.¹² A town in the north of the Transvaal province (now Limpopo) was called Nylstroom (Nile stream) by Afrikaner pioneers because they believed (or purported to believe) that they were crossing the Nile. And perhaps the most important ritual of white Afrikaner identity, the Day of the Covenant, was celebrated on 16 December each year. It was a commemoration of a myth which held that God had miraculously saved a group of Afrikaners from a duplicitous Zulu king after they made a covenant with their Creator promising to observe the day in solemn gratitude if they were granted victory. The close parallels with the Biblical story of the Exodus are no accident: the day served to remind white Afrikaners of their special mission in 'their' land. Certainly Zionist claims to exclusive rule over the land may rest on religious texts

which are central to mainstream western culture, while those of Afrikanerdom may have been inspired by this tradition but were of a much more parochial origin. Nevertheless, the similarities of the two myths and their claims to indigeneity far outweigh their differences: the notion that white Afrikaners were socialised to see the land as a temporary source of power and privilege rather than an intrinsic feature of group identity does not survive serious scrutiny.

Finally, it is often argued that Zionist willingness to concede a common polity is rendered impossible by the memory of the Nazi death camps and other atrocities visited on Jews before then. But here again there is a strong parallel with Afrikaner self-definition under apartheid. At the beginning of the twentieth century, Britain had fought a war against Afrikaner settlers. Towards the end of the war, the British invented the concentration camp, and used these camps to house Afrikaner women and children. Tens of thousands died of starvation and disease in the camps and Afrikaner nationalists repeatedly cited this as evidence of what would befall them if Afrikaners did not govern themselves. So strong is this memory that it is still kept alive by the Freedom Front, a small party which represents white Afrikaners and whose website includes a picture of an Afrikaner concentration camp victim who looks very much like one of the Jewish survivors of Nazi camps. The website declares that this 'genocide' was 'the price the Boer Nation was prepared to pay for their freedom and independence. Anyone who thinks that their offspring today will simply surrender their freedom must think again.'¹³ Afrikaner traditions that saw the maintenance of ethnic domination as an essential guarantor of group survival in a hostile world were, in their power to shape collective consciousness, therefore similar to those of Zionism. Elites and ideologues in each group have insisted that security depends on ethnic statehood and have ensured that this message was imprinted on the psyche of their identity group.

In sum, the similarities between white Afrikaner and Zionist ideologies and self-imaginings are strong (sometimes deliberately so given Afrikaner nationalist identification with the children of Israel). To insist that a shared polity is impossible because Zionism is so rigidly opposed to it is to ignore the degree to which Afrikaner Nationalism, which eventually conceded majority rule, initially viewed the world and justified its domination in much the same way as Zionists do now. And so, if the white Afrikaner elite found that strategic compromise with reality could entail conceding majority rule, so too are we likely ultimately to find that Zionism is

capable of conceding a shared society with a Palestinian majority. This possibility is enhanced by the reality that such a shift could be justified as a credible expression of Jewish identity and a credible means of safeguarding Jewish security.

A usable tradition: Judaism, Jewish history and alternatives to ethnocracy

Despite Zionism's claims to the contrary, the link between Jewish identity and survival on the one hand, and ethnic statehood on the other, are not intrinsic.

The claim that Jewish identity can be expressed only through a Jewish state is clearly refuted by the fact that this identity was maintained for over eighteen centuries without a state – and, on a subjective level, by the fact that Zionism was a minority Jewish position less than a century ago; the largest Jewish religious movement in the United States, Reform Judaism, endorsed Zionism only in 1937.¹⁴ For much of Orthodoxy, political Zionism was a heresy only a few decades ago because it relied on human agency to achieve a redemptive task believed to belong only to God – some strictly orthodox Jews still maintain this position.¹⁵ Some contemporary Jewish thinkers offer understandings of the Jewish tradition which are explicit critiques of Zionism,¹⁶ and an exegetical tradition that allows for varying interpretations of Biblical texts has opened the way for non-Zionist interpretations of traditions which are nowadays often held to allow only a Zionist exegesis. A particularly significant contribution to alternative understandings of Jewish identity is Daniel Boyarin's inversion of the frequently uttered Zionist accusation that Jewish opponents of this ideology are 'self-hating'. For Boyarin it is the Zionists who are self-haters because they are bent on renouncing Jews' distinctiveness as a people able to survive for centuries without the use of state violence to preserve their identity.¹⁷ Nor is Zionism the only available form of expression for secular Jews concerned to retain their ethnic identity: the General Jewish Labour Bund, a socialist party active in Russia in the early part of the last century, generated a secular, left-wing, but clearly Jewish identity which survived the Bund itself for decades.¹⁸

Even among some of the earlier Zionist thinkers, the notion that Jewish identity required an ethnic polity from which Palestinians would be excluded was not universal. Thus Martin Buber, Gershom Scholem and Yehuda Leib Magnes, three religious thinkers who also looked to a Jewish

presence in historical Palestine to maintain an 'authentic' Jewish identity, were founders of the Brith Shalom movement which sought a shared binational state.¹⁹ So even a notion of Jewish selfhood premised on the establishment of a political entity in historical Palestine did not rest on an assertion that this identity depended on a state reserved for the exclusive use of one ethnic group.

Zionism's claim that it represents the only credible vehicle for Jewish identification is, therefore, simply untrue. And while alternative understandings of Jewishness are today influential only among a small minority of those Jews who are concerned to maintain their identity, the South African experience shows that seemingly abstract alternatives developed by intellectuals can be deployed to justify revised strategic retreats by dominant groups. At times, even ideologies of identity which justify domination can, under pressure, become unexpected vehicles for alternative understandings which facilitate change. Thus it has been argued that Afrikaner Nationalism differed from French and Portuguese colonialism in its inability to accommodate the notion of differential status in a single identity: while the other two systems of domination could accommodate the notion that subordinate peoples could share the coloniser's national identity while remaining subordinate, Afrikaner Nationalism, presumably because it was developed in response to British colonialism (and was thus seen in the Europe of a century ago, to which black people were inconceivable as political subjects, as a movement of national liberation), assumed that membership of the identity group implied equality. When it dominated, this prompted it to exclude and separate from the subordinated, insisting on 'no equality in Church or state'. But when domination faced severe pressure and the permanence of black people in 'white' areas became inevitable, this also made political equality seem unavoidable.²⁰ Whether Zionism – also, in effect, born of a fight by a European identity group against British colonialism for the right to dominate an indigenous people – is capable of such a switch remains to be seen. But, even if it is not, there are more than enough cultural resources to sustain a grudging recognition of the possibility of co-existence.

The examples cited here show that alternative understandings of Jewish survival which do not rest on ethnic statehood are not only possible but can be found squarely within the mainstream of Jewish tradition. Clearly, these alternative understandings will not be usable as long as Zionism is

under no great threat. But if its costs begin to escalate, there is much in Jewish tradition, religious and cultural, which can be mobilised in support of the proposition that Jewish identity can be safeguarded in a shared state or in one with a Palestinian majority. Alternative understandings of identity cannot change power relations, but they can enable members of dominant groups to make sense of, and adapt to, those changes when they are confronted by mounting pressures on their dominance. They can also be mobilised by state reformers to justify significant strategic shifts, as they were by reformers within the apartheid state. If pressure on the Israeli state grows, these understandings of identity may provide many Jews with a means of adjusting to that changed reality, and to ensure that strategic shifts made by a political elite enjoy the required support from the Zionist constituency.

Rethinking Jewish security

An obvious but accurate objection to the preceding argument is that Zionism is underpinned not by concerns for Jewish identity but by a particular understanding of Jewish security. Jewish adherence to Zionism surely owes far more to fears of antisemitism than to a desire for an authentic identity. In this view, the availability of Jewish cultural alternatives to Zionism is irrelevant as long as most Jews are persuaded that Zionism is an essential protection against another Nazi-like onslaught.

This view may underrate the importance of alternative cultural understandings when systems of domination face pressure. But it is correct to highlight fears for Jewish security as the chief psychic rationale for Zionism's dominance among Jews today – and to insist, by implication, that a shared society will be resisted by Jewish mainstream opinion unless it can be persuaded that this is compatible with Jewish physical survival. The security concern may well be paralleled in the South African experience; it may be argued that one of the reasons white South Africans were willing to entertain a settlement is that most had become affluent enough to know that they could go elsewhere if majority rule threatened their safety.

Here again, however, the Zionist notion of Jewish security is open to challenge and could well be re-evaluated if political pressures on the Israeli state continue to grow.

The assumption that only ethnic statehood can offer Jews protection is a misreading of Jewish history. Thus David Biale points out two realities

that raise a serious challenge to this claim. First, Jews have exercised significant degrees of self-government during the long period in which no Jewish state existed. In medieval Europe, sovereigns would generally allow Jews to govern their own communities provided they paid taxes, did not support the monarch's enemies and did not execute persons. Second, the notion that only a Jewish state can enable Jews to ward off the threat of persecution or physical annihilation is belied by the reality that Jewish states have survived throughout history only when they have enjoyed the protection of a major power. In other words, Jewish statehood is not a means to ensure that Jews can rely on their own efforts to defend themselves, because the survival of their state depends on the goodwill or strategic interests of other major powers. Statehood is thus not a way out of dependence on non-Jewish goodwill; it is simply the same dependence in another form. If statehood is meant to inoculate Jews against attack from a world which can never be trusted to respect Jewish rights and persons, but is possible only if a major power is disposed, for whatever reason, to afford that state the protection on which Jews are meant not to depend, there is a core contradiction in the Zionist notion of Jewish security, which logically prompts a search for other sources of safety.

This point is perhaps emphasised by one of the key ironies of the Zionist project – that it was meant to end antisemitism by persuading ‘the nations’ that Jews were just like them because they too had what all normal peoples have – a state.²¹ When the state's establishment failed to end attacks on Jews – and within the borders of the state itself greatly increased them – the Zionist narrative changed to one of victimhood in which ‘Arabs’ were portrayed as successors to the Nazis, a theme which has become almost a routine feature of Zionist explanations today.²² This has become so dominant a part of Zionist rhetoric that most Jews seem to have forgotten that the state was meant to end the hatred it is now claimed to provoke. And while constant claims that reasoned critics of Israeli state actions are continuing centuries of European antisemitism²³ may grossly distort reality, they may, like some features of Afrikaner nationalist ideology, also contain within them the seeds of their own destruction. For, once Jewish confidence in an ethnic statehood begins to erode, the fact that the existence of an exclusively Jewish state enhances rather than reduces antipathy to Jews will draw attention to the extent to which an exclusive ethnic state has undermined rather than ensured Jewish security.

These flaws in the Zionist vision of Jewish security may in time also prompt another realisation which could make minority status in a shared state seem a plausible source of security – that the only type of polity in human history which has ever protected Jewish security is not an ethnic state but a working democracy. On one level, this is so by definition: democracies are required to respect the rights of their citizens and a society which sanctions discriminatory behaviour is not a democracy. Thus a common Zionist objection to this claim is that the Weimar democracy did not save Jews from Nazism. The answer is that Nazism could only begin its state assault on the Jews and others by abolishing democracy (which, of course, it very quickly did). The logical conclusion to be drawn from this is that, if democracy had survived in Germany, then so would its Jews. On another level, Weimar notwithstanding, democracies have far longer proven records of protecting Jewish rights and persons than any other form of government: the 200-year history of the United States is an obvious example as are western European societies such as France and Britain after they democratised. The world's largest democracy, India, was established at roughly the same time as the state of Israel. And while India's Jewish population is small and may have derived some protection from this, the fact remains that India has done far better at protecting its Jewish citizens from physical harm than the Israeli state has.

Democracies are not guaranteed to endure. But since democracies that survive protect the Jews who live in them better than the Jewish state, it follows that a single-minded concern for Jewish safety would most effectively be expressed in vigorous efforts to defend democracy, which protects Jews as well as others, rather than to defend ethnic statehood which, because it antagonises those who are not members of the ethnic group, promises only continued violence.

Lest this seems like yet another fanciful intellectual construct unlikely to make any impact on real-life calculations of Jewish security, it is worth noting that, in deed if not in thought, significant numbers of Jews have already accepted the argument. Millions of Jews who live in democracies, and could therefore freely leave their countries for the Jewish state, choose to stay where they are. More importantly, significant numbers of Jewish Israelis emigrate, clearly signalling that they do not need the protection of ethnic statehood. Indeed, recent trends suggest that the number of Israelis leaving the state is outnumbering those Jews who are arriving to seek refuge.²⁴ These personal decisions surely highlight the irony that the

ultimate Jewish 'place of safety' is a great deal less safe than the secular democratic alternatives available elsewhere. As for the frequently made argument that these Jews need an ethnic state as an insurance policy against new eruptions of antisemitism, the political shifts in the major democracies required to place state antisemitism on the agenda are surely far greater than those required to withdraw support from the Israeli state and so render the insurance policy invalid.

Not only are understandings of Jewish security that do not rest on ethnic statehood possible, they are more plausible than Zionism's claim that an exclusive state will protect Jewish security. And since concern for safety is a far greater priority for Jews than ethnic pride and 'purity', if pressure on Zionism increases, support for views that recognise Zionism as a problem for, rather than a solution to, the problem of ensuring Jewish safety may well increase.

Conclusion: which audience?

In this chapter I have tried to show that Jewish adaptation to minority status in a single state is not nearly as impossible as current analyses would have us believe. I have highlighted alternative understandings of Jewishness and of Jewish safety which, given a significant increase in political pressure on Zionism, could see precisely the shifts in strategy which justifications for the status quo say are impossible.

But that begs a question: who is it that will make these adaptations? The answer is not as obvious as it sounds, for, if Palestinian resistance has a disadvantage which did not beset its South African equivalent – the fact that the Israeli state does not depend on Palestinian labour – then it may yet prove to enjoy an advantage which was not available to the anti-apartheid resistance: the pivotal role of the Jewish diaspora in Zionism's survival. The diaspora has provided the Israeli state with vital resources – financial and human – over the past decades. And while some Israeli politicians frequently insist that the time for depending on diasporic material resources is over, it is hard to imagine the Israeli state managing without the far more important resource which the diaspora offers, namely, political support in the major western powers, the United States in particular. It remains possible that Jewish communities living in societies where their rights are protected may well come to believe that an ethnic state in historic Palestine does little to offer them a sense of safety or identity. Suggestive evidence that this may already be happening

is provided by survey material finding declining affinity with the Israeli state among younger Jewish respondents in the United States – even as (and perhaps because) right-wing Zionism becomes the default position of official community leadership.²⁵

But whether increased pressure on Zionism leads to revised understandings of Jewish security in the Israeli state, in the diaspora, or both, there is no reason to suggest that alternative understandings, which could prompt at least a grudging acceptance of a shared state, are any less available to Zionists needing a way to escape the dilemmas of domination than they were to Afrikaner nationalists in South Africa.

Notes

1. Tony Judt, 'Israel: An alternative future.' *New York Review of Books*, 23 October 2003.
2. Yoel Esteron, 'Who's in favor of annihilating Israel?' *Ha'aretz*, 28 November 2003.
3. Kosmin et al. (1999: 15).
4. See, for example, Akiva Eldar, 'In Israel, reality hides under a "top secret" stamp.' *Ha'aretz*, 9 April 2010.
5. Benjamin Pogrud, 'Israel is a democracy in which Arabs vote, not an apartheid state.' *Focus* 40, December 2005. Also available at http://www.zionism-israel.com/ezine/Israel_democracy.htm.
6. On Israeli apartheid, see Jonathan Cook, 'Israel's big and small apartheid: An entrenched system.' *Counterpunch*, 26 April 2010. <http://www.jkcook.net/Articles3/0478.htm>.
7. Greenstein (1995).
8. Uri Avnery, 'Israel and apartheid: A freedom ride.' *Counterpunch*, 23 January 2007. <http://www.counterpunch.org/avnery01232007.html>.
9. Giliomee & Schlemmer (1989).
10. Saunders (1994: 426).
11. For example, Israeli Prime Minister Netanyahu claimed at a meeting of the Zionist lobby group AIPAC: 'The Jewish people were building Jerusalem 3000 years ago, and the Jewish people are building Jerusalem today.' (Quoted in 'Netanyahu takes hard line on Jerusalem housing.' *New York Times*, 22 March 2010).
12. For sources and a critique, see du Toit (1983, 1984 and 1985).

13. Vryheidsfront, 'Afrikaner history.' http://www.vryheidsfront.co.za/english/history_afrikaner3.asp.
14. See 'The Columbus Platform: The guiding principles of Reform Judaism.' (1937) *Jewish Virtual Library*, http://www.jewishvirtuallibrary.org/jsource/Judaism/Columbus_platform.html.
15. Ravitzky (1996).
16. See, for example, Ellis (1999).
17. Boyarin (1997).
18. On South African Bundism, see Krut and Mantzaris (1987) and Adler (1979).
19. Ratzabi (2002).
20. Pierce (1992). See also the argument by a National Party cabinet minister that, if black people were allowed to live permanently in the cities, they would also have to be allowed to vote (Friedman 1987).
21. Boyarin (1997).
22. See, for example, Ben-David (2009).
23. Then Israeli foreign minister Shimon Peres labelled charges of Israeli war crimes in the Jenin refugee camp as 'almost a blood libel' – a reference to antisemitic myths in Christian Europe claiming (spuriously, of course) that Jews killed Christian children to use their blood for Passover rituals (see Michael A Hoffman II, 'Israelis forbid war crimes investigation in Jenin meanwhile, analysis and investigation of World War Two-era German war crimes is never ending.' *The Hoffman Wire*, 1 May 2002. <http://www.ummah.com/forum/showthread.php?2043-Israeli-Forbid-War-Crimes-Investigation-of-Jenin-While-WW2-War-Crimes-Investigation>).
24. 'Emigration from Israel exceeds immigration'. *Deutsche Presse-Agentur*, 20 April 2007. <http://wakeupfromyourslumber.com/node/1311>.
25. Peter Beinart, 'The failure of the American Jewish establishment'. *New York Review of Books*, 12 May 2010.

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Chapter Sixteen

Radical Hope

Fouad Moughrabi

A sea change is occurring in the historic Israeli-Palestinian conflict. To cite just one example among many: on 6 March 2010, some 3 000 Israeli Jews and Palestinian Arabs held a demonstration in Jerusalem to protest the eviction of Palestinian families from their homes in the suburb of Sheikh Jarrah. A young Israeli activist, twenty-eight year old Sarah Benninga, gave an eloquent speech:

There is a new Left and it is a Left that is not satisfied with peace talks. It is a Left that fights... We are not fighting for a peace agreement. We are fighting for justice and we believe that injustice is the main obstacle to peace... There is a new Left in town and that Left stands with the people of Sheikh Jarrah tonight and will continue standing with them until justice defeats fanaticism.¹

Israeli author David Grossman, left-wing Israeli journalist and former politician Yossi Sarid, and Avraham Burg, who once served as the speaker of the Knesset, joined the demonstrators. In an article in *Haaretz* published the following day, Burg wrote:

Sheikh Jarrah is beyond the cognizance of Mayor Nir Barkat and Prime Minister Benjamin Netanyahu, as though the commotion has nothing to do with them... And in the absence of leadership of the state, and the peace bloc, our children have taken on the responsibility, shaken off indifference and despair and brought us here. The circle is expanding and it is full of life, rage and hope.²

Although it is too early to tell, what we are witnessing may turn out to be the beginning of a third intifada, except that this time it may be a Jewish-Palestinian one. Should this movement spread, it will be directed mainly against fossilised political leaderships on both sides that are stuck in their own tracks, incapable of moving beyond 'politics as usual'. What is dramatically different about all of this is the language; the old slogans for peace have been replaced with a call for an end to injustice.

The conflict between Israel and the Palestinians has long been defined as a symmetrical struggle pitting two nationalist movements against each other, both with legitimate claims to the same piece of land. American, European and even some Arab scholars have come to accept this definition. According to this logic, the land needs to be partitioned into two states to fulfil the yearnings of both these nationalisms.

Another definition has always lurked beneath the surface though, deliberately hidden at times, and deeply submerged in the archives of the conflict. On rare occasions it has manifested, for instance, in an early book by the French Marxist scholar Maxime Rodinson, in the work of Palestinian scholars Ibrahim Abu-Lughod and Elia Zureik, and in the works of Israeli academics Gershon Shafir, Ilan Pappé, Gabriel Piterberg and Baruch Kimmerling among others.³ This definition views the conflict as being between an aggressive, Zionist, settler-colonial movement and the indigenous Palestinian population. This has remained a minority view.

The first definition is, however, nothing more than an artificial political construct, forced onto the historical reality. It is now advocated mostly by pro-Zionist scholars and activists who espouse the notion of a two-state solution. Ironically, Israel's ongoing drive to settle in the occupied territories has reached the point that a two-state solution appears practically impossible. Furthermore, Israel's desire to establish an ethnically pure Jewish state has led to it increasingly being viewed as a fully-fledged apartheid state where one group has rights and power while the other is powerless and marginalised.

In other words, the submerged definition of the terms of the conflict is finally coming to light. Israel's feverish efforts to colonise various parts of the West Bank, including Jerusalem, are practically indistinguishable from its efforts to colonise Galilee, Jaffa, Acre and other areas in Israel. In essence, the colonial project under way in the West Bank is the logical continuation of a process of settler colonialism pursued by Israel for most of the twentieth century. Israel's behaviour has revealed – with full force – a colonial dimension that was once skilfully submerged. Judging from the works of scholars such as Judt, Tilley, Veracini, Wolfe and Said,⁴ the settler-colonial paradigm is forcefully re-emerging as the dominant one for analysing this historic conflict and for figuring out modalities for its possible resolution.

American historian Fredrick Jackson Turner argued that the frontier experience fundamentally shaped both the American character and

American institutions.⁵ Howard Lamar and Leonard Thompson have re-examined Turner's thesis and argue that Turner and others ignored the fact that the indigenous society and the intrusive European one were *both* shaped by the frontier conflict.⁶ Lamar and Thompson have undertaken a systematic and comparative analysis of frontier processes and examined how different sectors of both societies have been influenced. In their concluding chapter they argue that the most contemporary example of the processes they examine is the case of Israel. There, they write, the frontier is still open and future scenarios by no means guarantee the survival of a Jewish state in the region.

Not surprisingly, the process of Zionist settler colonialism in Palestine has shaped the nature and character of Israeli institutions.⁷ It has also radically influenced the nature and character of emerging Palestinian institutions. I would further add that Zionist settler colonialism has had a major effect on much of the Arab world. By his own account, Gamal Abdel Nasser, the charismatic Arab nationalist leader who overthrew the Egyptian monarchy, singled out Egypt's shameful defeat in Palestine in 1949 as one of the principal factors that led to Egypt's July Revolution in 1952.⁸ Similarly, the defeat of the Arab armies in 1949 is seen as the single most important factor in the repeated coups that plagued Syria during the early 1950s. The persistent inability of Arab governments to mount an effective response to the dangers posed by Zionist settler colonialism, and the subsequent rise of military regimes throughout the Arab world, has continued to define and plague Arab politics.

To my knowledge, neither the Palestinian nor the Arab response to Israeli settlement has been subjected to critical analysis. On a few occasions, first following the Nakba in 1948,⁹ then after the 1967 defeat, and still later following Sadat's visit to Jerusalem, a number of isolated but important works of self-criticism appeared, most notably that by Al-Azm.¹⁰ But no one has yet fully examined how the introduction of an aggressive settler-colonial movement has shaped the region and continues to shape it in critical ways.

My focus here is to examine how the Palestinian response evolved over time, how it tried to confront the process of Zionist settlement and how it appears to be developing at this critical stage in Palestinian history. In doing so, I will not rely on traditional sources and known historical narratives. Instead, I will critically examine the emerging nationalist paradigm by focusing on the lacunae, by looking at the nationalist narrative from the

bottom up, and thus giving voice to groups that have been silenced or submerged and, finally, by examining new initiatives that have emerged among societal groups totally unrelated to the traditional and established political factions.

An early response

An important yet neglected monograph entitled *The Reconstruction of Palestine* was published in 1919 by the Palestine Anti-Zionism Society in New York. Edited by John Salah, who obtained a BA from the Syrian Protestant College in Beirut and an MA from Harvard, the monograph includes a historical introduction by the well-known Syrian historian Philip Hitti; an overview of geography, agriculture, commerce, industry and transportation; a chapter on mother-of-pearl artisanship; one on education by Khalil Totah, who received a doctorate from Columbia University and who later became principal of the Friends Boys School in Ramallah; a chapter on the social status of women by Victoria Tannous and another fairly detailed chapter on health care by Fouad Shatarah, a professor of surgery at Long Island University. The core of the monograph consists of several chapters dealing with the nature of Zionism and Zionist ambitions to settle Palestine and a chapter that discusses the best ways to confront it.

Hitti provided a concluding chapter in which he asked: 'Are we a nation?' In it, he wrote about Syria before it was dismembered by the colonial powers and suggested that it was a nation still in the making.¹¹ Echoing Ernest Renan's famous lecture, *Qu'est-ce qu'une nation?*,¹² Hitti argued that geographical unity, solidarity based on blood relations, language and religion was simply not enough. The secret lay in a feeling of specialness and a will to belong and to be – things that could be nurtured and developed. Hitti concluded: 'We are not a nation. But the necessary material for us to become a nation is there. What is missing is the will (*volonte*). What we wish, so we will be.'¹³

The monograph is remarkable for the high level of educational accomplishment of its authors, their ability to take a comparative look at other cultures and civilisations, and its comprehensive nature. The authors wrote about national issues of grave importance without losing sight of the fact that, in the end, one was talking about real human beings. Furthermore, the monograph presents a clear Palestinian focus and spells out a clear Palestinian identity, albeit within the larger outline of a Syrian Arab identity. A great deal of effort was devoted to arguing against Zionist

claims and to affirming Palestinian rights. These themes were repeated in many of the Palestinian historical writings, especially those written during the period of the British mandate of Palestine (1923–1948). The authors also spell out a fairly straightforward agenda for how to confront the process of Zionist settlement.

In the same monograph, Mughannam Elias Mughannam called on the Palestinians to use whatever limited power they had to introduce legislation that would limit Jewish immigration. He also called on the thousands of Palestinians in the diaspora to return to Palestine and contribute to the development of their country. The author strongly urged Palestinians not to sell any land to the new settlers. He recommended the establishment of quality national schools in towns and villages where the instruction would be in Arabic, investment in economic growth, the creation of a bank to encourage agriculture, the protection of farmers and agrarian reform.

Clearly, a Palestinian identity had already emerged and a number of highly educated and concerned Palestinians were worried enough about the future of their homeland to produce this monograph. One of the important themes they dwelt upon was the social composition of Palestine, which included Christians, Jews, Muslims as well as a variety of Europeans. This cosmopolitanism was not characteristic only of the population of Palestine. Beirut, Cairo and other major Middle Eastern urban centres also reflected a significant level of cosmopolitanism.

In 2009, Nadia Hijab wrote a review of the memoirs of Wadad Makdisi Cortas, a Lebanese woman who became the headmistress of Ahlia National School for Girls in Beirut.¹⁴ Hijab writes, ‘Cortas describes a mixed Middle East that included white Russians, Armenians, Turks, Jews and many others among the Arabs.’ In those days, a distinction was made between invading colonial settlers who were Zionists and the original inhabitants of the place that also included Jews. Hijab described a visit made by Cortas to a Jewish kibbutz in northern Palestine where she noted that it was ‘efficiently run by recently arrived Polish Jews’. Cortas also noted that the kibbutz was ‘completely detached from the life of the area’.¹⁵ It wasn’t until later that the Arabs discovered that many of these kibbutz dwellers were receiving military training at a time when the British authorities were disarming the native Palestinian population. In the post-1948 period, these same Kibbutzim were expanded at the expense of Palestinian Arabs who were systematically dispossessed of their land.

Nationalism

One encounters a number of recurring themes when one examines the literature on Palestinian identity written by Palestinians during the years of the British mandate and in the post-1948 period. In fact, it appears as if a particular script emerged during that period and has remained constant through contemporary Palestinian history. Palestinian historian Issa Khalaf argues that Palestinian politics was appropriated by the urban elite.¹⁶ He notes that factionalism was the single most important characteristic of this period. Eager to protect their class privileges, the urban elite worked hard to exclude independent groups – intellectuals, professionals, new entrepreneurs and the peasantry. Instead of working on mobilising their own people, they opted instead to enlist the support of the various Arab governments and the British colonial authorities in an attempt to thwart the designs of Zionist settler colonialists. Two patterns quickly emerged: Palestinian politics began to be tossed around like a football in the arena of Arab politics and although entreaties to the colonial masters never yielded any results, the pattern simply began to shift towards seeking salvation from other international powers such as the United Nations or the US government.¹⁷ This has since been supplemented by the more contemporary refrain appealing to the international community for international legitimacy.

There is no better source to illustrate the destructive effects of these themes than the memoirs of Rashid Hajj Ibrahim,¹⁸ one of the leaders of the resistance in Haifa during the British mandate and immediate post-mandate period. Ibrahim shows clearly how factional disputes among Palestine's elite ended with the loss of Haifa and, indeed, much of Palestine in 1948. He also dwells on the futility of trying to mobilise support among the Arab governments and of trying to coax the British colonial authorities to support the Arab position. The most startling failure, however, is the unwillingness, or simply the inability, of the urban elite to effectively mobilise the mass of the peasantry in the struggle against Zionist settler colonialism. The latter were more than willing to be mobilised and they were always willing to make enormous sacrifices. This was as true then as it is now.

One exception merits some comment, not only because it tells us a great deal about what happened during the period of the British mandate, but also because its echoes linger on into the contemporary period. Rashid Hajj Ibrahim describes the role of Shaykh 'Iz al-Din al-Qassam in the struggle against the British and the Zionists.

Al-Qassam was born in Jableh, in Northern Syria, in 1882 and graduated from Al-Azhar University. He participated in the rebellion in Libya against the Italian invasion. He was arrested and sent home by the Ottoman authorities. Then he enlisted in the Ottoman army and received military training. After the First World War, the young shaykh joined the revolt against the French occupation of Syria. He was sentenced to death but managed to escape first to Beirut and then to Haifa where he became the Imam of the Istiqlal Mosque. In 1927, he and Rashid Hajj Ibrahim established the Young Men's Muslim Association (YMMA), modelled after the Young Men's Christian Associations throughout the world. Haifa, at the time, also had a Muslim Association that was controlled by respected members of the community. More than a thousand young men joined YMMA in Haifa, and branches were quickly established in other Palestinian cities and villages. In 1930, a conference was held in Haifa, attended by representatives from the various branches. The conference decided to acquire weapons and to carry out military training in secret. In addition, the YMMA called for:

- The need to struggle against British colonialism and Zionist settlement;
- A return to religion;
- The elimination of illiteracy; and
- The promotion of physical education and boy-scout-type survival skills.

The shaykh was a charismatic religious leader who had boundless energy. He travelled through the countryside organising cells of young men, secretly training and securing weapons for them. The majority of his followers came from poor villages or were newly urbanised workers who had been displaced from the rural areas and were living in the slums of cities like Haifa. This was the sector of Palestinian society most directly affected by the process of Zionist colonisation.

The established Muslim Association in Haifa, mostly controlled by the urban elite, conspired against al-Qassam and regularly tried to prevent him and his followers from participating in the annual processions to celebrate *al-Mawlid al-Nabi*, the birthday of the Prophet Muhammad, which were attended by thousands of people from all over Palestine.

The shaykh and his followers carried out a number of low-profile attacks against Zionist and British targets in 1933. On 11 October 1935,

he and a small band of loyal followers left Haifa and moved to the hills, announcing the beginning of military resistance. A month later they were spotted by British aeroplanes and surrounded by British troops in the woods near Jenin. Al-Qassam and two of his followers fell during the fierce battle. The rest were either injured or captured.

Two ceremonies were held to mourn the fallen heroes. One was organised for members of the elite and the main political parties by the traditional Muslim Association of Haifa which quickly tried to appropriate the memory of al-Qassam as a symbol of a popular fallen hero. The other was organised by Rashid Hajj Ibrahim for the ordinary people and al-Qassam's followers. Just 400 people attended the first, while a crowd of more than 15 000 attended the second. And on the day of the funerals, some 20 000 people turned out and the ceremony turned into a huge demonstration. The British authorities tried in vain to control the situation by insisting on moving the bodies in closed vehicles, but this strategy failed to calm the crowds. Several policemen, including the chief of police, a Mr James, were injured during the scuffles with the mourners.

Interestingly, in addition to Rashid Hajj Ibrahim, the speakers who addressed the crowd included Ahmad Shukairi, who became the first head of the Palestine Liberation Organization (PLO) some years later. Other speakers were leaders of the secular nationalist Istiqlal party which consisted of independent personalities who were critical of the role of the Grand Mufti of Palestine, Hajj Amin al-Husseini – al-Husseini had been appointed by Sir Herbert Samuel who had earlier pardoned him for his nationalist activities in the hope that this radical young cleric would work to contain popular passions. The death of al-Qassam and his comrades was the spark that ultimately led to the outbreak of the 1936 nationwide rebellion known as the Great Rebellion, which lasted until 1939.

In his major work on the rise of Palestinian identity, Rashid Khalidi talks about a 'new, shared urban-rural perception among Palestinians of a new type of Zionist settlement'. He also suggests that members of the elite had 'made a conscious effort to build this shared sense of destiny between city and countryside, city dweller and fellah'.¹⁹ Khalidi then offers the following claim: 'Thus, the funeral in Haifa in November 1935 of the first articulate apostle of armed rural resistance, the Syrian Shaykh 'Iz al-Din al-Qassam, who lived and worked for fifteen years among landless fellahs who had migrated to the Haifa slums, and died in combat with British troops, became an enormous public demonstration.'²⁰ Khalidi relies on a work written

by Abdullah Schleifer, and based on secondary sources, about Shaykh al-Qassam. Schleifer offered a sympathetic portrait of this early nationalist leader whose story was somehow ignored by most historians.²¹ However, his work ignores the core issue of the relationship between the dispossessed peasants who believed in al-Qassam's message and the urban elite.

Undoubtedly, by the time al-Qassam began his activities, one could accurately talk about a sense of the danger represented by Zionist colonialism being shared between the urban elite and the alienated peasants and workers in the slums. However, as the diary of Rashid Hajj Ibrahim clearly shows, the reality is far more complex and goes to the heart of an issue that cries out for further investigation. The peasant rebellion instigated by al-Qassam later spread to envelop all of Palestine in a fierce uprising that lasted nearly three years. It shut down the country almost completely during a general strike, perhaps the longest in modern history. The Muslim Association of Haifa, controlled by the urban elite, looked askance at the activities of this 'troublemaker' whose violent activities were making it difficult to negotiate with the British. Furthermore, his attacks against Jewish targets were criticised because they were said to have given the latter an excuse to launch fierce counter-attacks on Palestinian cities.

A pattern was clearly emerging: a class confrontation, pitting members of the urban elite against peasants and urban workers living in the new slums, was being played out in the shadows of the overall struggle against Zionist colonisation. In this struggle, Palestinian schoolteachers began to play a prominent role as articulators of a new national ethos. This group emerged during the British mandate when an educational system was put into place and teacher-training centres, such as Jerusalem's famous Arab College, were established. The teaching profession offered opportunities for the newly emerging middle class to enter the cities as professionals. Teachers in those days enjoyed a high level of prestige in society and many of them (such as Khalil al-Sakakini, Ahmed Sameh al-Khalidi, and Abdul Latif Tibawi, among others) played a key role in the nationalist struggle.

The same pattern characterises Palestinian politics through more recent Palestinian history. Its current manifestation, in the relationship between the Palestinian Authority (Fatah) in Ramallah and Hamas in Gaza, follows almost precisely the script that emerged in the 1930s. With a rather odd sense of *déjà vu*, one hears the same arguments now, with the Fatah leadership levelling the same accusations against Hamas as were levelled against al-Qassam and his followers in the 1930s. Khalidi revisits

these themes in some detail in a more recent book,²² and talks at length about two important issues: one is the highly destructive inter-elite rivalry during the period of the British mandate and the second is the manner by which the urban elite successfully co-opted – if not thwarted – the resistance of dispossessed peasants and urban workers concentrated in the urban slums of Haifa and Jaffa.

Interestingly, Khalidi is fully aware of the Subaltern School and refers to it in his preface.²³ He admits that his account tends to favour the elite voices that helped shape the emerging Palestinian national consciousness. He writes that ‘non-elite subaltern elements of Palestinian society played an important, and perhaps central, role in the crucial early years of the emergence of a separate Palestinian identity.’²⁴ A more careful reading of subaltern studies would have yielded significantly greater insights. For example, from Partha Chatterjee, Khalidi would have learned how the colonial authorities exercised modes of power by creating communal conflicts between the landed elite and the peasantry.²⁵ And, through Gyan Pandey, he would have benefited from a comparative perspective that analyses peasant revolts in the context of the emergence of Indian nationalism, where we learn how the ‘party of the growing urban and rural petty bourgeoisie had turned its back on the peasant movement’²⁶. Pandey offers the following quotation from Friedrich Engels’ *Germany: Revolution and Counter Revolution* which, while referring to different historical conditions, almost precisely describes what happened in Palestine in the period from 1935 to 1939:

The petty bourgeoisie encouraged insurrection by big words, and great boasting as to what it was going to do. But wherever an armed conflict had brought matters to serious crisis, there the shopkeepers stood aghast at the dangerous situation created for them; aghast at the people who had taken their boasting appeals to arms in earnest; aghast at the power thus thrust into their own hands; aghast, above all, at the consequences for themselves.²⁷

A variant on these themes occurred more recently later when Salim Tamari, a Palestinian sociologist who teaches at Birzeit University in the West Bank wrote about various social aspects of Jaffa on the eve of the Nakba in 1948.²⁸ For this exercise in ‘bourgeois nostalgia’, Tamari was taken to task by Andre Mazzawi.²⁹ Mazzawi’s criticism relates to the appropriation of Jaffa’s narrative by well-to-do refugees who focus only on *la belle vie* before

1948, and ignore the working class men and women of the past, as well as contemporary residents of the city like himself.³⁰ The debate focused on the role of the erstwhile mayor of Jaffa, Yusuf Heykal, who abandoned his post and left the city while it was being attacked by Zionist forces. Following his flight to Amman, Jordan, there was no Palestinian leader to negotiate any form of agreement with the occupying Zionist forces. Such an agreement might have spared the city the looting, destruction and ethnic cleansing that ensued. At the critical moment, the mayor and other members of the urban elite fled the city and left the mass of its citizens to fend for themselves. Tamari argues that the fate of Jaffa had been sealed by then, regardless of what the mayor might have done.³¹

This debate raises important issues about the relationship between the elite and the masses: the failure of the urban elite to clarify the nature and scope of Zionist settler ambitions, the excessive pragmatism the urban elite engaged in – especially in their relations with the British – and their failure to deal firmly with collaborators among them.³²

Following the 1967 war and Israel's occupation of the West Bank and the Gaza Strip, Palestinian resistance operated on three fronts: in the diaspora that created the Palestine Liberation Organization (PLO); among Palestinians who lived under Israeli military occupation in the Occupied Palestinian Territory and among Palestinians within Israel.

The PLO, as the representative of the Palestinian people in the diaspora and those under Israeli occupation, came to symbolise Palestinian aspirations. However, the same structural dilemmas that confronted Palestinian nationalism during the mandate period persisted as Yasser Arafat, despite frequent protestations to the contrary, turned into a pale echo of Hajj Amin al-Husseini. Achieving statehood became the overriding ambition of the movement. When it became clear to the PLO that it would be unable to liberate all of Palestine, it declared that it would be satisfied with establishing a state in the Palestinian territories occupied in June 1967, namely, the West Bank and the Gaza Strip. And when this appeared difficult to achieve, the PLO was willing to settle for an autonomy plan based on the 1993 Oslo Accords, hoping that this would ultimately lead to statehood.

Essentially, the PLO pursued three strategies. The first was to attempt to steer through the maze of Arab politics and to maintain its ability to represent the Palestinian people. In this, its independence was fundamentally hampered by its increasing reliance on funding from the oil-rich states of the Persian Gulf. A second strategy consisted of

launching (poorly planned and poorly executed) military attacks against Zionist targets. And the third involved seeking international support. Considerable success was achieved in this third strategy and solidarity organisations were established throughout the world, but the strategy was less successful at the governmental/diplomatic level.³³

Meanwhile the Palestinians under occupation never ceased to protest. In 1973, a new generation of Palestinians established the Palestine National Front (PNF) aiming to increase resistance to occupation and to challenge the traditional pro-Jordan leadership that was willing to collaborate with the Israeli military. Emile Sahliyah, professor of political science at Birzeit University at the time, was one of the best-informed commentators on this period.³⁴ Sahliyah showed how the PNF created a collective leadership and began to advocate for the right to national self-determination and independent statehood. The PNF soon won all municipal elections in the Occupied Palestinian Territory, and called on the population to engage in civil disobedience, demonstrations, sits-in, strikes and to refuse to pay taxes. Its immediate aim was to call a halt to the process of illegal Israeli settlement and land appropriation. Sahliyah summarised its strategic objectives as follows:

The PNF leaders, wary of the PLO's objective of liberating all of Palestine, were convinced that the formation of a West Bank-Gaza Palestinian state would help end the state of belligerency between Israel and the Arab countries and Israel's aggressiveness. An era of cooperation and mutual understanding between Israelis and Palestinians could ultimately lead to the creation of a secular democratic state for both Jews and Arabs in Palestine. Such an outcome could be brought about – if at all – only through the use of peaceful means on both sides.³⁵

The Israeli authorities responded harshly to the non-violent activities of the Front. On 10 December 1973, eight of its prominent leaders were arrested and deported to Lebanon; by May 1974, a further 150 members were arrested; and in July of that year, the Israelis arrested another 300 members. At the same time, the PLO worked hard either to co-opt or limit the Front's activities, fearing the emergence of political competition within the Occupied Territory.

Within Israel itself, the remaining Palestinian minority, which had initially lived under a military regime, eventually came into its own as a national collective by 1976. In that year, the Israeli government decided

to appropriate some 20 000 dunums³⁶ of land between the Arab villages of Sakhnin and Arraba in an effort to increase the Judaisation of Galilee. Palestinian leaders, including Tawfiq Zayyad, a member of the Communist Party (Rakah) and mayor of Nazareth, responded by calling for a day of general strikes and demonstrations on 30 March 1976. During the ensuing riots, the army shot dead four unarmed demonstrators, including three women, and the police shot two more. Around a hundred demonstrators were wounded and hundreds of others arrested.³⁷

The story of the Palestinian community that became a minority when the State of Israel was established is nothing short of remarkable, and it remains to be told. This was a community that was totally abandoned and left without institutions or leadership. Eventually, new leaders began to emerge, led mostly by members of the Communist Party. A number of distinguished individuals began to redefine the identity of the community as Arab and Palestinian. Tawfiq Zayyad, along with Mahmoud Darwish, Samih al-Qassem, Emile Habibi and Emile Touma managed through their poetry and literature to invent an identity for their people and to offer them radical hope.

Over the years, however, a gradual process of decay set in following repeated failures and strategic mistakes committed by the PLO. This eventually led to the ousting of Palestinian resistance groups, first from Jordan in 1970 and then from Lebanon after the Israeli invasion of 1982. Increasingly marginalised in faraway Tunis, the PLO, which had become known as the richest national liberation movement, was beginning to fall on hard times as the flow of money from the Gulf began to dry up. The centre of gravity of Palestinian politics then shifted dramatically into Palestine itself.

The first intifada erupted in 1988 as Palestinians under occupation decided to take matters into their own hands. Virtually the entire Palestinian population participated in an uprising of historic proportions involving mostly non-violent acts of civil disobedience. More than anything attempted by the PLO before, the intifada shook the foundations of the Israeli occupation and quickly generated a tremendous level of sympathy for the Palestinians – even among the American public which had traditionally been insulated from the rest of the world by its media.

The intifada impressed upon the Zionist settler leadership that the Occupied Palestinian Territory was fundamentally ungovernable and that some form of compromise was unavoidable. Determined to prevent the

emergence of an independent Palestinian state, the Israeli leadership repeatedly insisted on various forms of autonomy, a notion that had surfaced during the first Camp David negotiations in 1978.³⁸ At the same time, it accelerated the process of enlarging its existing settlements and creating new ones. Ultimately, the Oslo Accords, signed in 1993, enshrined the notion of autonomy and gave it concrete form. The Israeli leadership allowed PLO cadres to return, hoping that they would be able to control the Palestinian masses while Israel maintained an indirect occupation. Huge sums of foreign aid began to pour in, designed to sweeten the deal for the Palestinians – sudden economic growth aimed at enticing the population to accept something less than independent statehood.

With the establishment of the Palestinian National Authority in 1994, the remnants of the PLO proceeded to create rudimentary and grotesque state structures. Palestinian passports were issued (but only with the approval of the Israeli authorities) and the Palestinian flag, for a long time outlawed by the Israeli occupation authorities, now flew over government buildings. Yasser Arafat, as president, insisted on having a guard of honour wherever he went, even when visiting other Palestinian areas. The office of prime minister was created and ministers were appointed for various offices, with the result that prominent personalities began to compete with each other for appointments. New postage stamps were issued. Independence Day was celebrated every year on 15 November. Seventeen security services were established – including naval and air-force intelligence services. Prisons run by the Israelis (and before that by the Jordanians, the British and the Ottoman Empire) were taken over by the Palestinian authorities and people who had previously been detained and tortured by the Israelis were again detained and tortured there. Gabriel Garcia Marquez captured this kind of grotesqueness in *Autumn of the Patriarch*, a book that could well serve as an epitaph to Arafat's ultimate demise.

Denied access to Jerusalem, the Palestinian Authority proceeded to turn the town of Ramallah into a virtual capital. Numerous foreign legations opened offices there and duly submitted their diplomatic credentials with pomp and ceremony to the 'President of the Republic'. In the years immediately following the Oslo Accords, the Palestinians received more foreign aid per capita than any other nation in recent memory, with the possible exception of Israel.³⁹ At the same time, the number of NGOs began to multiply. In the end, much of the aid money simply evaporated as a result of massive corruption both in the public sector and in some NGOs.

Very little aid reached the poor in the refugee camps or rural areas. In some villages, people of modest incomes were forced to contribute their own money if they needed to add a classroom to a local school, creating a situation reminiscent of what used to occur during the British mandate.⁴⁰

The so-called peace process ground on without showing any appreciable results while the process of settlement building and land confiscation continued unabated. Conditions in the Palestinian territories were such that a second major uprising seemed almost guaranteed, except that most analysts were convinced that, this time, it would be mostly directed against the Palestinian Authority. A combination of factors, including the nature and scope of Israel's response, enabled Arafat to steer the second intifada against the Israelis. The extremely violent Israeli response, far in excess of any possible threat to Israeli security, necessitated a somewhat militarised Palestinian response. This proved disastrous for the Palestinians, especially when Palestinians eventually initiated a series of suicide bombings in the heart of Jewish urban centres.

This descent into hell revealed the extent of the danger inherent in the conflict. Israeli violence intensified and seemed to be aimed at achieving what Israeli sociologist Baruch Kimmerling called 'politicide'. A state of exception became the norm. Achille Mbembe captured the situation rather well in his essay on necropolitics:

As the Palestinian case illustrates, late-modern colonial occupation is a concatenation of multiple powers: disciplinary, biopolitical, and necropolitical. The combination of the three allocates to the colonial power an absolute domination over the inhabitants of the occupied territory. The state of siege is itself a military institution. It allows a modality of killing that does not distinguish between the external and the internal enemy. Entire populations are the target of the sovereign. The besieged villages and towns are sealed off and cut off from the world. Daily life is militarized. Freedom is given to local military commanders to use their discretion as to when and whom to shoot. Movement between the territorial cells requires formal permits. Local civil institutions are systematically destroyed. The besieged population is deprived of their means of income. Invisible killing is added to outright executions.⁴¹

Palestinian violence then took a turn towards nihilism. In the absence of a unified and coherent political leadership, it was de-linked from political objectives, and ended up attempting to inflict as much pain on Israeli so-

ciety as the latter was inflicting on Palestinians. Ironically, however, both sides had reached a dead end. On the one hand, the prospect of Greater Israel (which includes all the territories occupied in June 1967) simply evaporated as many thoughtful Israelis began to wonder whether, in fact, a Jewish state would exist at all in the region in future. On the other hand, the prospect of establishing an independent sovereign state in the Occupied Territory (around twenty-two per cent of the area originally under the British mandate) also vanished into thin air.

By the time Arafat died – after having been locked into a small windowless room in his bombed-out headquarters by the Israeli army – it was clear that the Palestinian national movement was also on its deathbed. All his entreaties to Arab public opinion and to the international community could not save him. Those familiar with Israel's invasion of Lebanon and the siege of Beirut twenty years earlier would not have expected anything different. Arafat's pragmatism made no difference then and could not sway Israel's determined efforts to eliminate the very notion of a Palestinian nation. Yet, in an ironic twist, while dying, Arafat was able to inflict yet a final blow to his enemies: his bravado contributed in no small way to moving Israel further towards the extreme right and, more importantly, the legitimacy of the Zionist enterprise came to be seriously questioned throughout the world.

Contemporary Palestinian leadership has failed for precisely the same reasons that the national leadership failed in the 1930s and 1940s. To be more precise, what has failed is the notion of Palestinian nationalism as articulated by the various Palestinian leaders, including the PLO. However, this does not mean that Palestinian resistance to Zionist settler colonialism has ended. On the contrary, resistance is very much alive. Throughout the entire period of occupation, patterns of resistance within Israel and the Occupied Territory have always been richer and more effective than resistance from outside.⁴²

Resistance is no longer articulated in the corridors of power in Ramallah where visiting dignitaries come and go. Instead, by 2008, it had shifted back to where it had always been submerged, to the local level – to villages such as Ni'lin, Bil'in and others that conduct weekly demonstrations against the separation wall⁴³ supported by Jewish activists and members of the International Solidarity Movement;⁴⁴ to a variety of small Palestinian NGOs that have mobilised their members to endorse the boycott, divestment and sanctions movement against Israel that

has achieved spectacular results throughout the world;⁴⁵ to the surge in creativity by an impressive group of young Palestinian artists, film makers, authors and poets who are engaged in the process of reinventing a Palestinian identity that refuses to succumb to the artificial lines of an apartheid system drawn by the Israeli occupation authorities.

With the passing of the old order and its triumphalist nationalist rhetoric, a new generation of Palestinians, both in Palestine and in the diaspora, is beginning to redefine what it means to be Palestinian. In the process, this new generation is redefining the nature of Palestinian resistance. As Karl Mannheim argued in his famous essay on generational transformation,⁴⁶ this may well be a Palestinian generation 'in itself', capable of using the past and the present in such creative ways as to redefine the possibilities of the future. The irony is that, as Palestinians are increasingly fragmented into various unconnected communities under Israeli control, the effort to redefine an identity and to find common ground becomes ever more critical for national survival.

Palestinians reinvent themselves

Eric Hobsbawm argued that nations are dual phenomena 'constructed essentially from above, but which cannot be understood unless analyzed from below, that is in terms of the assumptions, hopes, needs, longings and interests of ordinary people, which are not necessarily national and still less nationalist'.⁴⁷ Edmund Burke III, one of the more thoughtful American historians of the Middle East, edited a collection of essays that examined history from the bottom up. This approach, he said, revealed the discrepancy between abstractions such as nationalism, imperialism and modernisation and how events are, in reality, experienced by ordinary people.⁴⁸ In mainstream historical accounts, Middle Easterners are deprived of agency and are ultimately reduced to what Eric Wolfe called 'peoples without history'.⁴⁹

That is why we now have a history of Palestine but not of the Palestinian people. We know all about the Balfour Declaration, the various white papers issued by the British government during the mandate period, the UN Partition Resolution of 1947, the Nakba and so on. Here I am not simply talking about histories written in the West. The textbook on the history of Palestine authored by the Palestinian Authority for eleventh graders in Palestinian schools in the West Bank and the Gaza Strip is a good example of this tendency. Consequently, we know very little about

the people whose lives were so deeply affected by these landmark historical events. We know only one thing for sure: that there is such a thing as a Palestinian nation and that it deserves the right of self-determination. Beyond this, we know very little.

A number of younger Palestinian historians have begun to call for 'writing Palestinians into history'. One of the more thoughtful is Beshara Doumani, who calls for the construction of an alternative kind of history: 'No doubt, there is an urgent need to write the Palestinians into history, especially in light of the ongoing intifada, which has aptly demonstrated the collective power of ordinary people to precipitate changes of historic proportions.'⁵⁰ Doumani argues that writing Palestinians into history is critical because, otherwise, 'it is difficult to imagine how they can achieve political self-determination or take responsibility for their actions'.⁵¹

The renewed focus on Palestinians as human beings has deep implications for their future. It raises important questions about identity and representation, as well as about the ability of people to survive against incredible odds. Even the World Bank has expressed curiosity about the ability of the Palestinian people to withstand the all-out assault against them launched by Zionist colonialism.⁵²

Partha Chatterjee, in his analysis of anti-colonial nationalism, made an important distinction between the material domain of the 'outside' and the 'inner' spiritual domain where cultural identity begins to be formed long before it begins to do battle with 'imperial power'. In the inner domain, 'the nation is already sovereign, even when the state is in the hands of the colonial power.'⁵³ This 'inner domain' has remained outside the purview of most scholars who have written about Palestinian nationalism. This is as true of scholars who are attached to the Zionist project as it is for those who may have been sympathetic to Palestinian aspirations. Stuart Hall's work on identity provides an excellent prism by which one can examine this important dimension.⁵⁴

Hall proposes two ways of looking at cultural identity. Firstly, he says, cultural identities 'reflect the common historical experiences and shared cultural codes which provide us, as "one people", with stable, unchanging and continuous frames of reference and meaning, beneath the shifting divisions and vicissitudes of our actual history.'⁵⁵ Hall sees this as a process that is not grounded in a kind of archaeology (rediscovering) but rather in the 'retelling of the past'. For him, these 'hidden histories' have 'played a critical role in the emergence of many of the most important

social movements of our time – feminist, anti-colonial and anti-racist.⁵⁶ Hall examines the photographic work of a generation of Jamaican and Rastafarian artists who have given coherent imagery to the experience of dispersal and fragmentation – common to all enforced diasporas. In the Palestinian case, this brings to mind Edward Said's important work, *After the Last Sky*, as well as the work of Issam Nassar and others.⁵⁷

Secondly, according to Hall, cultural identity recognises that while there are points of similarity and commonness, there are also 'critical points of deep and significant difference which constitute "what we really are"; or rather – since history has intervened – "what we have become"'.⁵⁸ Cultural identities have histories and they come from somewhere, but, like everything else, they undergo constant transformation.

This second view enables us to understand the ruptures and the trauma inflicted by the colonial experience. Said's *Orientalism* shows how we (the Orient) have been constructed as 'the other' by regimes of knowledge and power constructed by the West.⁵⁹ Hall adds that they (the West) also had the power to 'make us see and experience ourselves as "other"'.⁶⁰ This type of knowledge is 'internal' in the sense that the subjugation occurs through 'inner compulsion and subjective conformation to the norm'. This inner expropriation of cultural identity tends to cripple and deform and, if it is not resisted, will produce what Frantz Fanon described as 'individuals without an anchor, without horizon, colourless, stateless, rootless – a race of angels'.⁶¹

Hall dwells on the interplay between continuity and difference. Looking at the Palestinian case, one can see a stable continuity within the Arab nationalist identification of a culture. The years of Zionist control have not erased the Arab character of the Palestinian minority within the Jewish state. The poetry of Mahmoud Darwish and Samih al-Kassem and the literature of Emile Habibi and others constitute significant contributions to contemporary Arabic literature.⁶²

But, at the same time, the severe ruptures inflicted on Palestinian society by Zionist colonialism have produced a uniquely different perspective. A brilliant example is the work of Mona Hatoum, a Palestinian artist who lives and works in London and Berlin. Like Edward Said and Mahmoud Darwish before her, Hatoum strongly objects to being over-identified with her biography: 'I am often asked the same question. What in your work comes from your own culture? As if I have a recipe and I can actually isolate the Arab ingredient, the woman ingredient, the Palestinian

ingredient. People often expect tidy definitions of otherness, as if identity is something fixed and easily definable.⁶³ Hatoum's work is undeniably coloured by reflections on her own experiences but it cannot be reduced to the sum of its geographical parts.

It is beyond the scope of this paper to produce an analysis of her incredibly rich and complex *oeuvre*. A few examples will have to suffice. During a residency in Jerusalem she produced two sculptures, *No Way* and *No Way II* (1996), in which she plugs the holes of a strainer and a colander with metal bolts, making these objects take on the appearance of weapons. She says that the inspiration for these works occurred because she had experienced, within Jerusalem, frequent restrictions on her freedom of movement imposed by the Israeli military and police. In *Over my Dead Body* (2002), Hatoum shows her face in profile as she stares down a toy soldier perched on her nose. Her haughty stare makes oppression and war seem so tiny, even laughable. She is staring at the soldier as one stares at a fly. Another work entitled *Infinity* (2001) shows toy soldiers marching in the formation of an infinity symbol, never achieving anything, engaged in an endless pursuit of an unseen enemy. In 2000, Hatoum produced *Homebound*, an important work that was part of a Tate exhibit entitled *The Entire World as a Foreign Land*. The objects are removed from the building that may have housed them and yet they are situated as they would be inside a home: the chairs are grouped around a table as one would see them in an ordinary kitchen. On top of the table, several items are scattered- a cheese grater, a sieve, a colander. Lights that are strung within these objects brighten and dim and the electric current that connects them together is amplified to a threatening buzz. One also sees a cot, a lamp, a birdcage and a sofa – stripped down to the metal frame without fabric or mattress. What happened to the people who once lived in this strange and uncomfortable home? They may have escaped or perhaps been evicted; the wire fence serves either to protect the viewer on the outside or to hold the family within. The scene recalls some mysterious events that may have happened in the past and projects a sense of unknown catastrophe. *Homebound* lacks a definitive frame of reference, refusing to judge any particular culture or to name either the oppressor or the oppressed. Hence its power.

Another work, *Measures of Distance* (1988), shows video footage of what looks like a blurred image of a woman (her mother) in the shower, with Arabic text running across the image of the naked body. Language cuts across the body but does not disguise it. Letters, exchanged between

Hatoum and her mother, are read out and record a dialogue between mother and daughter across geography and across generations. Hatoum reads the letters in a monotone while an animated conversation in Arabic takes place at the same time, making it difficult to follow what is being said. In an interview with Janine Antoni, Hatoum said about this work:

During a visit to Beirut in 1981, I had taken a dozen slides of my mother taking a shower. At the time, feminism had so problematized the issue of representation of women that images of women vacated the frame, they became absent... Once I made the work I found that it spoke of the complexities of exile, displacement, the sense of loss and separation caused by war.⁶⁴

Commenting on Hatoum's work, Edward Said had this to say:

In the age of migrants, curfews, identity cards, refugees, exiles, massacres, camps and fleeing civilians... [Hatoum's installations] are the uncooptable mundane instruments of a defiant memory facing itself and its pursuing and oppressing others... No one has put the Palestinian experience in visual terms so austere and yet so playfully, so compellingly and at the same moment so allusively.⁶⁵

A major exhibition of contemporary Palestinian art entitled *Made in Palestine* ran in New York from 3 May to 23 October 2003. The artists came from the West Bank, Gaza Strip, within Israel, Syria, Jordan and the United States. Curated by James Harithas with the assistance of Palestinian artist Samia Halaby, the exhibition opened to packed crowds and received impressive media coverage. Participating artists included: Zuhdi al Adawi, Tayseer Barakat, Rana Bishara, Rajie Cook, Mervat Issa, Ashraf Fawakhry, Samia Halaby, John Halaka, Rula Halawani, Mustapha al Hallaj, Jawad Ibrahim, Noel Jabbour, Emily Jacir, Suleiman Mansour, Abdel Rahman al-Muzayen, Muhammad Rakouie, Nida Sinnokrot, Vera Tamari and Mary Tuma. Several of these artists had their careers launched by the Qattan Foundation in Ramallah which has been working to encourage creativity and excellence in the field of culture and education since 1999.

Americans have long tended to look at the Palestinians through Israeli or Orientalist eyes. The 2003 exhibition meant that, for the first time, they were able to view works of art by young Palestinian artists reflecting upon their own experiences. What is even more remarkable is that much of this artistic work was done during the second intifada, one of the most difficult periods

of contemporary Palestinian history: when the Israeli army re-invaded the cities of the West Bank and systematically killed people and destroyed infrastructure. This was a time of long curfews and severe restrictions on freedom of movement. The irony is that Palestinian artists kept working during that time as if the production of highly complex and imaginative works of art was an act of defiance, an affirmation of life over death.

For example, in 2002, when the Israeli army reoccupied the city of Ramallah, Israeli tanks literally crushed over six hundred private vehicles parked on the streets in front of houses. Palestinian artist Vera Tamari from Birzeit University towed ten of these destroyed cars to an open field adjacent to the Friends Boys School and constructed an installation. She wired loudspeakers and lights to the crushed cars and decorated them with beaded amulets similar to the ones that drivers hang from their rear-view mirrors to protect their cars from the evil eye. The installation was set up in full view of the Israeli soldiers who were stationed nearby. During the curfew, Vera sat in her home across from the school and watched, with amusement, the reactions of the Israeli soldiers to this strange installation with its blinking lights and blaring music.

Another example was an exhibit mounted by the Khalil Sakakini Cultural Center, dedicated to the first hundred martyrs killed by the Israelis during the early period of the second intifada. Pictures of each martyr were posted above a translucent box that contained some items that had belonged to them when they had been killed. These items included school bags, notebooks, a lunch box, a soccer ball, a perfume bottle and an empty birdcage.

It was around the same period in 2002 that the Qattan Foundation held its Young Artist Award competition. Members of the jury included well-known Palestinian artists Nabil Anani, Kamal Boullata and Khalil Rabah, as well as Reema Hammami, an anthropologist from Birzeit University and Gerardo Mosquera, a freelance curator and art critic based in Havana who also serves as an adjunct curator at the New Museum of Contemporary Art in New York City. The Foundation printed a handsome catalogue of the winning presentations entitled 'Hope and the Aesthetic Moment'.⁶⁶

Kamal Boullata wrote the introduction to the catalogue, quoting from John Berger as follows: 'We live in a world of suffering in which evil is rampant, a world whose events do not confirm our Being, a world that has to be resisted. It is in this situation that the aesthetic moment offers hope.'⁶⁷ Commenting in the catalogue, Gerardo Mosquero wrote:

I confess my surprise at not seeing pamphleteer art or nationalistic paintings. In general, the works used contemporary art's potentials to express and discuss quite diverse issues in a complex manner. If the context were overwhelmingly present, it was not as hegemonic as one would expect in Palestine. A crucial point was the elaborated heritage and the artists' awareness of being the first generation of the 21st century.⁶⁸

And in the same catalogue, the Foundation's director, Omar Qattan, wrote a piece entitled 'Diary of an Art Competition Under Siege'. He described the work of Ra'eda Saadeh, a young woman from Umm a-Fahm, an Arab town in Israel, who won the first prize. Saadeh courageously tackled the theme of the wedding night. Visitors were invited into the exhibition space as into a house, they were then led into a darkened bathroom in which a short film was projected from the ceiling into the barely filled bath. The film was a long sequence in which the artist, dressed in her bridal dress, slowly turned in an undefined landscape until she finally spat blood from her mouth, filling the screen with its gory colour. The loss of virginity, viewed as a fetish around the Mediterranean, was presented both as an act of violence and a game. The bride/artist took control of her sexuality by spitting blood at the spectator. The visitor was then led into the bridal bedroom where the bed was stuck vertically to a wall. On the adjacent wall, tens of gloved women's hands stuck out, looking strong and rigid, while on the opposite wall tens of men's neckties hung limp and almost bewildered.

Another work by Palestinian artist Rana Bishara, a young woman from the town of Tarshiha in the Galilee, produced a map of Palestine in large colour shapes placed together as in a puzzle. The map was also the theme of a work by British/Palestinian artist Tina Sherwell who produced a series of delicate, half-shredded maps of Palestine made from fragile layers of tissue paper.

In his welcoming comments to a group of Nobel Prize winning writers who came to Ramallah in 2002 to express solidarity with the Palestinians, the poet Mahmoud Darwish said that Palestinians were afflicted with an 'incurable malady called hope'.⁶⁹ Darwish recaptured this theme in his well-known poem *State of Siege* which was written in 2002. In the first stanza, he wrote:

Here, where the hills slope before the sunset and the chasm of time
Near gardens whose shades have been cast aside
We do what prisoners do
We do what the jobless do
We cultivate hope.⁷⁰

Darwish went on to say that the siege would persist until ‘we teach our enemies models of our finest poetry’. Addressing Israeli soldiers, Darwish invited them to share Arabic coffee, hoping they may feel that they were human as well.

No hatred or revenge appears anywhere in the poem. On the contrary, there is a recognition that the lives of Palestinians and Israelis are indelibly linked together. Here is how he addressed an Israeli soldier:

(To a killer:) Had you left the fetus
For thirty days, the possibilities would have changed:
The occupation might end and that suckling
Would not remember the time of siege,
And he'd grow up a healthy child, become a young man
And study in the same institution with one of your daughters
The ancient history of Asia
And they might fall together in passion's net
And beget a girl (and she'd be Jewish by birth)
So what have you done then?
Now your daughter has become a widow
And your granddaughter an orphan
What have you done to your fugitive family
And how did you strike three doves with one shot?

Survival, for Darwish, was the ultimate objective, the normalcy and the humdrum of daily life. For him, the ultimate goal of the Palestinians was simply to be. Naturally, they may then disagree about the design of the national flag (he suggested they chose an image of a donkey for it), the words of the national anthem (maybe a song about the marriage of doves) or about women's rights (he recommended appointing a woman to preside over national security) and thereby become ordinary and like other people.

Here the poet punctures the national tendency to engage in political hyperbole especially at a critical time in a nation's history. Filmmaker Elia Suleiman, who produced *Chronicle of a Disappearance* and *Divine Intervention*, essentially does the same thing. In *Chronicle of a Disappearance*, Suleiman conducts an interview with his mother: the shot opens with a still of a living room with a couch at the centre. His mother enters the room, sits on one side of the couch and then ‘proceeds to recount the town gossip peppered with her unforgiving comments’⁷¹ about various people. She then heads out to pay her condolences to the same people that she has just verbally slaughtered and ends up saying: ‘It is better if one stays silent and doesn't say anything.’

The rupture here occurs because one would have expected the mother to tell us about her life before 1948, the story of her dispossession and the effects of war. These bits of oral history narrated chronologically are the kind of linearity that other filmmakers have produced. By contrast, 'Suleiman is more interested in interrogating the present than in excavating the past.'⁷² He also interrogates how people construct the past within a particular present and shows clearly that representations of experience have their own tempo.

There is an interview with a young Greek Orthodox priest in a beautiful monastery overlooking Lake Tiberias. Here is what the priest says about tourism in the Holy Land: 'That's where Jesus is said to have walked on water. Now it's a gastronomic sewer, filled with excrement, shit of American and German tourists, who eat Chinese food. (There is a well known and popular Chinese restaurant there frequented by the tourists.) It forms a crust on the surface of the lake. Anyone can walk over water and make miracles now.' All of a sudden, 'the land is stripped of its holiness.'⁷³ This theme is reconfirmed later when a group of Japanese tourists walk past a souvenir shop and one of them decides to take a snapshot of the owners – who had also become holy land relics – sitting at the doorstep.

The third interview is an appointment with a writer who walks into a room, sits on a chair and begins talking: The writer relates what his grandfather had told him about his years in the Turkish army (during the Ottoman period when young men were forcibly drafted). The grandfather describes Istanbul as the

flower of all cities... there is nothing like the food there anywhere else in the world. We were stationed 15 minutes away from the city. At noon, we had lentils with worms which I couldn't eat. I had five coins and I would cross the street, go by the bookshop and the clothes shop until I reached the public garden. There was a man with pots of cooked lamb heads, nicely spiced with saffron and all. He'd serve me a head with two hot loaves of bread and I would sit on the nearest bench, eat, throw the remains in the garbage bin and go home. The beauty of Istanbul is beyond comparison.

Later the grandfather would relate the same story, embellishing it with even more spices. Despite all the intervening years of dispossession and the ravages of war, the grandfather keeps repeating the same story always embellished with even more spices.

Palestinian oral history is full of stories about the years of service of an entire generation in the wars of the Ottoman Empire. Aref al-Aref, a well known Palestinian historian, once related to me a long story of how he and two companions managed to escape from a prisoner of war camp in Siberia and made it all the way back to Palestine. One would have expected the interview in *Chronicle of a Disappearance* to yield similar stories, providing us with a chronological and linear narrative of important events in Palestinian history. Instead, the grandfather regales us with a gastronomical fantasy about a meal on a park bench in Istanbul.

Fantasy also plays a key role in *Divine Intervention*, a film that is set at the checkpoint (Hajiz al-Ram) that separates Ramallah from Jerusalem. Suleiman captures the fantasies that all Palestinians have when they are herded like cattle through the various checkpoints: as he is driving his car, he eats an apricot and throws the pip out of his window – it hits an Israeli tank exploding it to smithereens; or a guards' watch tower collapses after a young woman walks majestically across a checkpoint in high heels.

What runs through the entire film is a cinematic will to resist power, a kind of radical defiance of time and narrative. Here is how Elia Suleiman described it in an interview:

The nonlinear image, which is read through dispersed fragments, is the only way you can make the audience participate in the construction of the image and therefore in the construction of the story, of the discourse. What I want to do is to challenge the director's viewpoint as the only 'authorized' viewpoint. I don't want his telling of the story to impose itself as the version of the 'truth.' If, on the other hand, you can create an image that calls into question this 'Truth' and opens new horizons, you can constantly rewrite the story or at least create the possibility of rewriting the story. That's what my films try to do.⁷⁴

Like Darwish, Suleiman says that he wants to create an image of Palestine that transcends ideological or political definitions. For him, the poetic image is the only one that can possibly attain universality. In the same interview, Suleiman recounts that 'during the screening of *Chronicle of a Disappearance* in Italy, some members of the audience told me they found it very Italian. The same thing happened in Russia and in Sweden. For me, that's what it means to be Palestinian.'⁷⁵

And then there is artist Emily Jacir, who was born in Bethlehem, spent her childhood in Saudi Arabia, studied in Italy and the USA and now lives

in New York and Ramallah. Jacir won the Prince Claus Award in 2007, the Guggenheim Foundation's Hugo Boss Prize in 2008 and the Golden Lion Award for an artist under the age of forty. She has exhibited in the USA, Europe, the Middle East and Australia. Some of her major works include *Memorial to 418 Palestinian Villages Destroyed, Depopulated and Occupied by Israel in 1948* (2001), *Where we Come From* (2001–2003), *Crossing Surda* (2002), *Material for a film* (2005), and *Untitled (servees)* (2008).

The last is an audio work produced in 2008 at Damascus Gate in Jerusalem where Palestinian taxi-drivers (drivers of the *servees*) call out their destinations to attract passengers. Some destinations (Beirut, Damascus, Baghdad, etc.) have not been offered since June 1967. Other destinations such as Ramallah, Nablus, Gaza are also no longer offered as the Israeli authorities have practically blockaded Jerusalem as a social and political hub for Palestinians. Jacir spent nearly a month working with these taxi-drivers to record them calling out the cities of their destinations and to capture the cacophony of voices and the incredible energy that characterises this highly charged transportation hub in the heart of Jerusalem. She comments:

Untitled (servees) recalls that purpose (Jerusalem as a hub)... and attempts to make visible through sound the fractures and interactions of everyday life within the disintegrating urban landscape. Calling out cities, *servees* drivers recall their destinations.⁷⁶

Jacir portrays the shrinking urban landscape of Jerusalem where Zionist settlers are feverishly and forcibly trying to uproot the Arab presence in order to turn the city into a Jewish and almost European one. In a similar way, Palestinian writer and lawyer Raja Shehadeh describes in his remarkable book, *Palestinian Walk: Forays into a Vanishing Landscape*, how the entire countryside where he enjoyed taking walks and hikes for many years has become inaccessible to Palestinians.⁷⁷

By way of a conclusion

I can find no better way to sum this up than by quoting from Homi Bhabha's brilliant work, *The Location of Culture*.

The vernacular cosmopolitan takes the view that the commitment to a 'right to difference in equality' as a process of constituting emergent groups and affiliations has less to do with the affirmation or au-

thentication of origins and 'identities,' and more to do with political practices and ethical choices. Minoritarian affiliations or solidarities arise in response to the failures and limits of democratic representation, creating new modes of agency, new strategies of recognition, and new forms of political and symbolic representation.⁷⁸

Some things are now clear: the old projects, predicated on the idea of the 'nation' for which many people have given their lives, have reached a dead end. This is as true of the Zionist project as it is of the so-called Palestinian national movement. The first has clearly morphed into an ugly apartheid system, while the latter has become little more than a grotesque show in Ramallah. What is being demanded instead is a commitment to the 'right to difference in equality' as an antidote to the politics of exclusion.

Where do we go from here? Palestinians have been victims of a fierce assault predicated on the logic of their removal. This is, after all, the logic of settler colonialism, no matter what ethnic colouration it assumes. So, while most have been sent into exile, enough of them have stayed on, clinging to every inch of their historic heritage. Dispersed, fragmented and disconnected as they are, they are nonetheless capable of moving beyond borders, over checkpoints and through their ghettos to connect with each other and with the rest of the world. Their ultimate removal or, barring this, their ultimate subjugation, is no longer possible. Even in the midst of their worst agony, as they are besieged by Israel's superior force, they continue to foment, to produce works of art, literature, music and film that send a clear and unambiguous message of humanism to the world. In the words of Mahmoud Darwish, they will be here, immortally here, wanting simply to be.

Absent from the sensibility that characterises Palestine's young artists are symptoms of anger, despair and revenge. What they project is nothing less than radical hope, acknowledging that at the end they and those Jews who may be touched by their message share the same destiny and therefore must forge a common future.

The conflict between Zionist colonialism and the Palestinian natives has been characterised by a dismal failure of politics: the failure of the so-called peace process, the bankruptcy of models of democracy predicated on ethnic purity, the failure of a truncated Palestinian nationalist ethos and the failure of international diplomacy. However, societies do not stop functioning when the political system enters a period of paralysis.

In the Israeli case, paralysis at the level of politics means that the generals are replacing the politicians and the national security apparatus

is allowed to make decisions. But a younger generation is beginning to challenge the status quo and to fill the political void. In the Palestinian case, new groups are also starting to emerge to fill the vacuum: hundreds of small NGOs have initiated a world-wide boycott, divestment and sanctions movement and engage in new and creative patterns of resistance. In this, they find allies among Israeli activists and international supporters. At the same time, art has emerged as the principal medium through which the 'nation' is being imagined and represented. Palestinian artists are able to cross over checkpoints, borders, walls and barbed wire fences to produce a new language. This new language differs from the old language of politics, which talks only about force. It is therefore a language that their Israeli counterparts can clearly understand and one that can also be understood in places as distant as Peru, Lisbon, London or New York.

Notes

1. Benninga (2010).
2. Available at www.haaretz.com.
3. Rodinson (1973); Abu-Lughod and Abu-Laban (1974); Zureik (1979); Shafir (1989); Pappe (2006); Piterberg (2008); Kimmerling (1983).
4. Judt (2010), Tilley (2005), Veracini (2006), Wolfe (2007), Said (1998).
5. Turner (1893).
6. Lamar and Thompson (1981).
7. See Shafir (1989).
8. Nasser (1973).
9. Nakba is Arabic for disaster or cataclysm. In this context it refers to the 1948 Arab-Israeli War and the civil war that preceded it, when approximately 725 000 Palestinians fled or were expelled from their homes.
10. Al-Azm (1968).
11. In Salah (1919).
12. Ernest Renan delivered this lecture at the Sorbonne on 11 March 1882. The full text can be found at <http://identitenational.canalblog.com/archives/2008/10/02/10803170.html>.
13. Hitti in Salah (1919: 186).
14. Hijab (2009).
15. Quoted in Hijab (2009).
16. Khalaf (1991).

17. Khalaf (1991).
18. Edited by Walid Khalidi (2005).
19. Khalidi (1997: 114, 115).
20. Khalidi (1997: 115).
21. Schleifer (1993).
22. Khalidi (2006).
23. Khalidi (2006); the Subaltern School refers to the works of Ranajit Guha and Gayatri Spivak (1998), among others.
24. Khalidi (2006: xiii).
25. Chatterjee (1993).
26. Pandey (1988: 281).
27. Quoted in Pandey (1988: 281).
28. Tamari (2003).
29. See Mazzawi (1997). Mazzawi lived in Jaffa and taught educational sociology at Tel Aviv University.
30. See Sa'di (2009).
31. See Sa'di (2009).
32. Sa'di (2009).
33. Until the Oslo Accords were implemented, the PLO was based outside Palestine, mainly in Lebanon and Tunisia.
34. Sahliyah (1988).
35. Sahliyah (1988: 57).
36. One dunum is equal to 1 000 square metres.
37. Since then, 30 March has become known as Land Day and is commemorated annually by Palestinians around the world. On 31 March 2010, *Haaretz* reported that nearly 10 000 Palestinians attended the 2010 commemoration in Sakhnin in lower Galilee (www.haaretz.com).
38. The negotiations were between Israeli prime minister Menachem Begin and Egyptian president Anwar Sadat and were presided over by US president Jimmy Carter.
39. Le More (2008).
40. Tibawi (1956).
41. Mbembe (2003: 30).

42. I recall that Palestinian organisations in the refugee camps in Lebanon operated more effectively after the PLO was forced out in 1982, mainly because the refugees were no longer subjected to controls imposed on them by the PLO leadership.
43. The separation wall is also popularly known as the apartheid wall. Construction began in June 2002 and the wall consists of a series of eight metre-high concrete slabs, trenches, barbed wire, 'buffer zones', electrified fencing, numerous watch towers, thermal-imaging video cameras, sniper towers and roads for patrol vehicles.
44. The International Solidarity Movement is a Palestinian-led movement committed to resisting the Israeli occupation using nonviolent methods. See <http://palsolidarity.org>.
45. See <http://www.bdsmovement.net/>.
46. Manheim (1952).
47. Hobsbawm (1990: 10).
48. Burke (1993).
49. Quoted in Burke (1993: 1).
50. Doumani (1992: 6).
51. Doumani (1992: 3).
52. World Bank (2004).
53. Chatterjee (1993: 6).
54. Hall (1990).
55. Hall (1990: 223).
56. Hall (1990: 223).
57. Said (1998), Nassar (1998).
58. Hall (1990: 225).
59. Said (1979).
60. Hall (1990: 225).
61. Fanon (1967: 170).
62. Darwish totally revolutionised contemporary Arabic poetry and his readings in various Arab capitals were attended by tens of thousands of listeners.
63. Quoted in an interview by Antoni (1998).
64. Antoni (1998).
65. Said (1993).

66. See Boullata (2003).
67. Boullata (2003). Berger and his photographer friend Jean Mohr had come to Ramallah shortly before the exhibition to lead a workshop entitled *Another Way of Telling in Palestine* (that I had the privilege of moderating over two days).
68. Quoted in Boullata (2003: 15).
69. Quoted in Boullata (2003: 16).
70. Darwish (2007).
71. Abu-Rumailah (2010).
72. Abu-Rumailah (2010).
73. Abu-Rumailah (2010).
74. Suleiman (2000: 97).
75. Suleiman (2000: 98–99).
76. Quoted in Laidi Hanieh (2009: 64).
77. Shehadeh (2008).
78. Bhabha (1994: xvii–xviii).

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Chapter Seventeen

Towards a one-state solution in Palestine/ Israel: Lessons from South Africa

Ali Abunimah

Anyone who rejects the two-state solution, won't bring a one-state solution. They will instead bring one war, not one state. A bloody war with no end.

– Israeli President Shimon Peres, 7 November 2009

One of the most commonly voiced objections to a one-state solution stems from the accurate observation that the vast majority of Israeli Jews reject it and fear being 'swamped' by a Palestinian majority if a single democratic state were ever established in historic Palestine, or what is today known as Israel, the West Bank and the Gaza Strip. It is perhaps this fact more than any other that sustains residual support – especially among Zionists – for a two-state solution. South Africa's experience suggests that Israeli-Jewish opposition may be quite malleable and need not stand in the way of a peaceful transition to a democratic state that offers citizenship and equal rights to all who live between the Jordan River and the Mediterranean Sea. However, as in apartheid South Africa, significant pressure in the form of boycotts, divestment and sanctions (BDS) in solidarity with the indigenous struggle and a positive future vision are essential to bring about a change in entrenched attitudes.

The end of the 'peace process' and the two-state paradigm

The election of President Barack Obama generated hyper-inflated hopes that the United States would – at last – take the necessary positions and apply pressure on Israel to bring about a repartition of historic Palestine into separate Jewish and Palestinian states. But even the most optimistic assessments were quickly disproved as the new US administration at first demanded a full freeze on Israeli settlement construction in the occupied West Bank and then quickly folded in the face of Israeli intransigence.¹ American efforts soon lapsed back into the long-established pattern of substituting process for substance, by putting all efforts into renewing 'peace

negotiations' without preconditions; Palestinians are once more being invited to talk while Israel busily gobbles up their land. Such a process will never lead to a just, equitable and lasting outcome.²

What is different now is that the charade of negotiations can no longer hide the stark reality that is rapidly dawning on even the most stalwart supporters of the 'peace process'. After decades of relentless Israeli colonisation in the West Bank, the two-state solution is no more than a slogan and has no chance of being implemented. The already present reality is a *de facto* binational state – albeit with apartheid conditions – in historic Palestine.³ The ideological collapse of the partitionist model places an obligation on all who care about the future of the country and the people who live in it to think about how to start shifting discourse and practice toward democratic alternatives. I have long argued that the systems in post-apartheid South Africa (a unitary, democratic state) and Northern Ireland (a consociational democracy) – offer hopeful, real-life models.

In response to some of the common objections, we can readily admit that neither in South Africa nor in Northern Ireland has the end of one political regime and the beginning of another resulted in a utopia. Both countries demonstrate that decolonisation is a lengthy, difficult, uneven and contentious process. It must occur within an internal context of 'post-conflict' politics that must balance 'healing' and 'leaving the past behind' with the need for justice and radical redistribution. The new regime must also contend with an international neoliberal economic and geopolitical order that constrains the sovereignty and scope for action of every state. Transforming the political regime into one that is legitimate and democratic is an essential but insufficient condition for real change; but only in such a context can the kinds of decisions on transitional justice, social reform, restitution, land reform, affirmative action or the planning needed to advance 'ethical decolonisation' take place.⁴

But could Palestine/Israel even get as far as South Africa or Northern Ireland given that, across the political spectrum, Israeli Jews insist on maintaining a separate Jewish-majority state? Does solid Israeli-Jewish opposition to a one-state solution mean that a peaceful one-state outcome is so unlikely that Palestinians should not pursue it and should instead focus only on 'pragmatic' solutions that would be less fiercely resisted by Israeli Jews? Experience in South Africa suggests otherwise.

White South Africans and the democratic transition

In 1994 apartheid came to a peaceful, negotiated end and was replaced (after a transitional period of power-sharing) with a unitary, democratic state with a one-person, one-vote system. This was hailed as the fulfilment of the political vision set out in the 1955 Freedom Charter. But before it happened, how likely did this outcome look? Was there any significant white constituency prepared to contemplate it, and what if the African National Congress (ANC) and other South African liberation organisations had advanced only the political solutions that whites had told pollsters they would accept?

Until close to the end of apartheid, the vast majority of whites, including many of the system's liberal critics, completely rejected a one-person, one-vote system, predicting that any attempt to impose it would lead to a bloodbath. As late as 1989, FW de Klerk, South Africa's last apartheid president, described the one-person, one-vote system as a 'death knell' for South Africa.

A 1988 study by political scientist Pierre Hugo documented the widespread fears among white South Africans that a transition to majority rule would entail not only a loss of political power and socioeconomic status, but engendered 'physical dread' and fear of 'violence, total collapse, expulsion and flight'.⁵ Successive surveys showed that four out of five whites thought that majority rule would threaten their 'physical safety'. Such fears were frequently heightened, Hugo found, by common racist tropes of inherently savage and violent africans; the departure of more than a million white *colons* from Algeria and the airlifting of 300 000 white settlers from Angola during the decolonisation of those countries set terrifying precedents.

Throughout the 1980s, polls showed that even as white South Africans increasingly understood that apartheid could not last, only a very small minority ever supported majority rule or universal franchise. In a March 1986 survey, for example, forty-seven per cent of white voters said they would favour some form of 'mixed-race' government but eighty-three per cent said they would opt for continued white domination of the government if they had the choice.⁶ A 1990 survey of white Afrikaners (speakers of Afrikaans, rather than English, who traditionally formed the backbone of the apartheid state) found that just 2.2 per cent were willing to accept a 'universal franchise with majority rule'.⁷

Perhaps an enlightened white elite was able to lead the white masses to higher ground? This appears not to have been the case either. A 1988 survey of more than 400 white politicians, business and media leaders, top civil servants, academics and clergy found that just 4.8 per cent were prepared to accept a unitary state with a universal voting franchise and two-thirds considered such an outcome 'unacceptable'.⁸ According to the authors of the study, Kate Manzo and Pat McGowan, white elites reflected the sentiments and biases of the rest of white society and overwhelmingly considered themselves inherently more civilised and culturally superior to black africans. Just over half of the respondents were prepared to accept, as their first choice, 'a federal state in which power is shared between white and non-white groups and areas so that no one group dominates'.⁹ Reflecting this emerging consensus, *The Washington Post* reported in 1989 that de Klerk had 'made clear that whatever new political order evolves from negotiations, power in South Africa would be shared on the basis of racially defined groups and not according to the principle of majority rule'.¹⁰

During the 1980s, most of the white electorate in South Africa moved to the right, just as Israel's Jewish electorate is doing today. In 1986, it was estimated that membership of the Afrikaner Weerstandsbeweging¹¹ had tripled within a year and stood somewhere between 50 000 and 100 000 members.¹² More broadly, support seeped from the National Party, which had established formal apartheid in 1948, to the even more right wing Conservative Party (CP). Yet, 'on the issue... [of] majority rule,' Hugo observed, 'supporters of both the National Party and the Conservative Party, as well as most white voters to the "left" of these organisations, ha[d] little quarrel with each other.'¹³ The vast majority of whites, wracked with existential fears, were simply unable to contemplate relinquishing effective control, or at least a veto, over political decision-making in South Africa.

Yet the ANC and its allies firmly insisted on a one-person, one-vote system with no white veto. As township protests, strikes and international pressure mounted, *The Economist* observed in an extensive survey of South Africa conducted in 1986 that many 'enlightened' white people 'still fondly argue that a dramatic improvement in the quality of black life may take the revolutionary sting out of the black townships – and persuade "responsible" blacks, led by the emergent black middle class, to accept some power-sharing formula'.¹⁴ Schemes to stabilise the apartheid

system abounded and bear strong resemblance to the Israeli government's current vision of 'economic peace' in which a collaborationist Palestinian Authority leadership will manage a still-subjugated Palestinian population anaesthetised by consumer goods and shopping malls.¹⁵

Because of the staunch opposition of the majority of the white community to a unitary, democratic state, the ANC was given no shortage of advice from western liberals that it should seek a 'realistic' political accommodation with the apartheid regime and that no amount of pressure could force white people to succumb to the ANC's political demands. The liberation movement was warned that an insistence on majority rule would force Afrikaners into a laager – that they would retreat into a militarised, garrison state and a siege economy, preferring death before surrender. Even the late Helen Suzman, one of apartheid's fiercest liberal critics, predicted in 1987 that 'the Zimbabwe conflict took fifteen years... and cost 20 000 lives and I can assure you that the South African transfer of power will take a good deal more than that, both in time and I am afraid lives.'¹⁶

However, as *The Economist* observed, the view that whites would prefer 'collective suicide' was something of a caricature. The vast majority of Afrikaners were 'no longer bible-thumping Boers'. They were 'part of a spoilt, affluent suburban society, whose economic pain threshold may prove to be rather low.' *The Economist* concluded that if whites would only come so far voluntarily, then it was perfectly reasonable for the anti-apartheid movement to bring them the rest of the way through 'coercion' in the form of sanctions and other types of pressure. 'The quicker the white tribe submits,' the magazine wrote, 'the better its chance of a bearable future in a black-ruled South Africa.'¹⁷

Ultimately, as we now know, the combination of internal resistance and international isolation did force whites to abandon political apartheid and accept majority rule. However, it is important to note that the combined strength of the anti-apartheid movement never seriously threatened the physical integrity of the white regime. Even after the massive uprisings from the mid-1980s, the South African regime was physically secure. 'So far there is no real physical threat to white power,' *The Economist* noted,

so far there is little threat to white lives... The white state is mighty, and well-equipped. It has the capacity to repress the township revolts far more bloodily. The blacks have virtually no urban or rural guerilla capacity, practically no guns, few safe havens within South Africa or without.

This balance of power never changed and a similar equation could be written today about the relative power of a massively armed – and much more ruthless – Israeli state and the lightly armed Palestinian resistance factions.

What did change for South Africa, and what all the weapons in the world were not able to prevent, was the complete loss of legitimacy by the apartheid regime. Once this legitimacy was gone, white South Africans lost the will to maintain a system that relied on repression and violence and rendered them international pariahs; they negotiated a way out and lived to tell the tale. It all happened much more quickly and with considerably less violence than even the most optimistic predictions of the time. But this outcome could not have been predicted based on what whites said they were willing to accept and it would not have occurred had the ANC been guided by opinion polls rather than the democratic principles of the Freedom Charter.

Zionism – as many Israelis openly worry – is suffering a similar loss of legitimacy, and Israel is becoming increasingly isolated as a result of its actions. In 2010, Israel's influential Zionist policy think-tank, the Reut Institute, charged that Israel faced an 'existential threat' from the growing global Palestine solidarity movement. The institute held that Israel's traditional strategic doctrine – which views threats to the state's existence in primarily military terms and needing to be met with a military response – was badly out of date. Rather, what Israel faced was a combined threat from what they called a 'Resistance Network' and a 'Delegitimisation Network'. The Resistance Network, they wrote, was comprised of political and armed groups such as Hamas and Hizbullah who 'rel[y] on military means to sabotage every move directed at affecting separation between Israel and the Palestinians or securing a two-state solution.'¹⁸

The Delegitimisation Network, according to Reut, was made up of a broad, decentralised and informal movement of peace and justice, human rights, and BDS activists all over the world. Its manifestations included protests against Israeli officials visiting universities, Israeli Apartheid Week (marked annually with solidarity actions and protests on university campuses around the world at the beginning of March), faith-based and trade union-based activism and 'lawfare' – the use of universal jurisdiction to create legal accountability for alleged Israeli war criminals. The combined 'attack' from 'resisters' and 'delegitimisers', said the Reut Institute, 'possesses strategic significance, and may develop into a

comprehensive existential threat within a few years.’ Reut further warned that a ‘harbinger of such a threat would be the collapse of the two-state solution as an agreed framework for resolving the Israeli-Palestinian conflict, and the coalescence behind a “one-state solution” as a new alternative framework.’¹⁹

This analysis represented an advance in the sense that it reflected an understanding that no regime could survive if its only resource was brute force; it must also have a degree of legitimacy. But the analysis also confused cause and effect. It blamed delegitimisers and resisters for frustrating the two-state solution, yet it ignored Israel’s relentless drive to build more and more new settlements in an effort to make Israeli withdrawal from the West Bank impossible. It did not consider for a moment that the mounting criticism of Israel’s actions might be justified or that the growing ranks of people ready to commit their time and efforts to opposing Israel’s actions were motivated by genuine outrage and a desire to see justice, equality and an end to bloodshed. In other words, Israel was delegitimising itself.

The crucial point is that, in this context, Israel’s self-image as a liberal, ‘Jewish and democratic state’ is proving impossible to maintain and market internationally against the reality of a militarised, ultra-nationalist Jewish sectarian settler-colony that has to carry out frequent and escalating massacres of ‘enemy’ civilians (such as those in Lebanon and Gaza in 2006 and again in Gaza in 2009) in a losing effort to check the resistance of the region’s indigenous people. Zionism will never be able to bomb, kidnap, assassinate, expel, demolish, settle and lie its way to legitimacy and acceptance. Already difficult to disguise, the loss of legitimacy will become impossible to conceal once Palestinians are a demographic majority ruled by a Jewish minority, a transition that is already underway.²⁰ Israeli Prime Minister Benjamin Netanyahu’s demand that Palestinians recognise Israel’s ‘right to exist as a Jewish state’ is in effect an acknowledgement of failure: without Palestinian consent, something which is unlikely ever to be granted, the Zionist project of a Jewish ethnocracy in Palestine faces grim long-term prospects.

Catalysing change among Israeli Jews

South African beneficiaries of apartheid typically justified their opposition to democracy not in terms of a desire to preserve their privileges and power but by using liberal arguments about protecting distinctive cultural differences. Hendrik Verwoerd Jr, the son of apartheid’s founder, expressed the problem in these terms, as reported by *The Toronto Star* in 1986:

These two people, the Afrikaner and the black, are not capable of becoming one nation. Our differences are unique, cultural and deep. The only way a man can be happy, can live in peace, is really when he is among his own people, when he shares cultural values.²¹

The younger Verwoerd was on the far right of South African politics, leading a quixotic effort to carve out a whites-only homeland in the heart of South Africa. But his reasoning sounds remarkably similar to liberal Zionist defences of the ‘two-state solution’ today. *The Economist*²² clarified the use of such language at the time, stating that ‘one of the weirder products of apartheid is the crippling of language in a maw of hypocrisy, euphemism and sociologese. You talk about the Afrikaner “right to self-determination” – meaning power over everybody else.’

Similarly, Zionism’s claim for ‘Jewish self-determination’ amidst an intermixed population is, in effect, a demand to preserve and legitimise a status quo in which Israeli Jews exercise power in perpetuity. But there’s little reason to expect that Israeli Jews will abandon this quest voluntarily any more than white South Africans did. As in South Africa, coercion is necessary – and the growing BDS movement is one of the most powerful, nonviolent, legitimate and proven tools of coercion that Palestinians possess. Israel’s vulnerabilities may be different from those of apartheid South Africa, but Israel is not invulnerable to pressure. The Reut Institute’s panic about the growing BDS movement – reflecting a broader realisation among the Israeli elite of the country’s growing isolation – is one piece of evidence that this campaign is already working.

Coercion, however, is not enough; Palestinians advocating a one-state solution cannot simply disregard the views of Israeli Jews. They must put forward a positive vision. One such effort was the ‘One State Declaration’ co-authored by participants at seminal conferences on the one-state solution that took place in Madrid and London in 2007.²³ Palestinians must recognise that the opposition of Israeli Jews to any solution that threatens their power and privilege stems from at least two sources. The first is an irrational, racist fear of black and brown hordes (in this case, Muslim Arabs) stoked by decades of colonial, racist demonisation. The second – certainly heightened by the former – emerges from normal human concerns about personal and family dislocation, loss of socio-economic status and community security. Change is scary.

But change will come. Without indulging Israeli racism or preserving undue privilege, the legitimate concerns of ordinary Israeli Jews can be

directly addressed in any negotiated transition to ensure that the shift to democracy is orderly, and that essential redistributive policies are carried out fairly. Inevitably, decolonisation will cause some pain as Israeli Jews lose power and privilege, but there are few reasons to believe that the process cannot be well managed or that the vast majority of Israeli Jews, like white South Africans, will not be prepared to make the adjustment for the sake of a normality and legitimacy they cannot obtain by any other means. This is where the wealth of experience and research into the successes, failures, difficulties and opportunities of managing such transitions at the level of national and local politics, neighbourhoods, schools and universities, workplaces, state institutions and policing, emerging from South Africa and Northern Ireland, will be of enormous value.

Palestinians and the global solidarity movement

It is often pointed out that Palestinians, unlike South Africans, do not have 'a Nelson Mandela' to lead and personify their struggle in a way that can galvanise global opinion. Mandela would be the first to admit that while he symbolised the struggle against apartheid, much of the resistance was carried out, and victory was achieved, through the sacrifices and efforts of thousands of men and women, many of whose names may never be known.

Similarly, Palestinians have a wealth of grassroots leadership, which is no less real or effective just because it is not recognised. It exists everywhere that Palestinians are – among the Palestinian citizens of Israel; among those organising protests on the ground in villages and towns such as Bil'in, Jayyous, Budrus and Beit Ummar on the West Bank; in Gaza and among the countless student solidarity groups at universities around the world.

A more challenging problem for Palestinians is the fragmentation of their institutions and message. The Palestine Liberation Organization (PLO), though still on paper 'the sole legitimate representative of the Palestinian people', has long been defunct, effectively preventing the diaspora from having its voice heard through any institutional means. The Ramallah-based Palestinian Authority (PA), created by the 1993 Oslo Accords, together with the Fatah faction that took it over, has lost virtually all legitimacy. The PA's vestigial powers and political ambitions are limited to the West Bank and it presents no vision that appeals to all Palestinians. It has become, in the eyes of many, little more than a native police force, acting on behalf of Israel.

Hamas, led from outside Palestine, suppressed in the West Bank and blockaded in Gaza, won the 2006 elections and thus a popular mandate from Palestinians in the Occupied Territory. It has remained widely respected among Palestinians for its resistance and refusal to submit to Israeli and US-imposed political conditions. But since the 2006 election, the movement has had to focus on mere survival in the face of an ongoing Israeli blockade and regular violent onslaughts as well as US-sponsored attempts – in collaboration with the PA – to overthrow and dismantle it.²⁴ For these reasons, and perhaps because of its own ideological limitations, Hamas has failed to articulate a clear and compelling vision of struggle and liberation capable of uniting the majority of Palestinians and generating broad international solidarity as the ANC was able to do.

The 1.5 million Palestinian citizens inside Israel have their own representative and organisational structures but they have largely been cut off from the rest of the Palestinians and the community inside Israel has always been ignored by the PLO. Although not recognised by the Israeli government, the High Follow-up Committee for the Arab Citizens in Israel brings together all the Arab elected officials in local authorities and the Israeli Knesset. It, together with many other prominent Palestinian citizens and organisations in Israel, has been instrumental in developing a vision for a democratic future for Israel as a 'state of all its citizens'.²⁵ These organisations and the visions they have created have the potential to be key in beginning to articulate a democratic vision for the whole country and all its people. The struggle of Palestinian citizens in Israel has largely been framed as one for equal citizenship, civil rights, fair access to land and other resources, for a neutral, non-sectarian state and cultural recognition for all. These are exactly the terms in which a one-state vision for all of Palestine/Israel are likely to be laid out, so the accumulated experience and ideas of the Palestinians in Israel are visionary and represent leadership resources that need to be brought back into the Palestinian mainstream.

If prospects for institutionalised Palestinian unity seem dim in the short term, unity around methods and goals, which can be the catalyst, for a broad, decentralised movement is already an emerging reality.

The call for boycotts, divestment and sanctions

What can bring together all these strands of ideas and organic leadership? The 2005 Palestinian call for boycotts, divestment and sanctions (BDS) offers the most widely endorsed plan of action thus far;²⁶ it has been signed

by hundreds of political parties and civil-society organisations across Palestine and the diaspora. The document calls on global civil society ‘to impose broad boycotts and implement divestment initiatives against Israel similar to those applied to South Africa in the apartheid era,’ until Israel meets three conditions:

- Ending its occupation and colonisation of all Arab lands and dismantling the [West Bank] Wall;
- Recognising the fundamental rights of the Arab-Palestinian citizens of Israel to full equality; and
- Respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN General Assembly Resolution 194.

While not endorsing one or two states per se, this programme, unlike the ‘two-state solution’, explicitly addresses the needs of all Palestinians – those in the West Bank and Gaza Strip, those inside Israel and those in the diaspora. In theory, it could be fulfilled in the context of two states, but each of those states would have to be fully democratic and offer full equality to all its citizens, something a Zionist Israel can – by definition – never do.

It is important to underline here the tremendous support given to the Palestinian BDS call by the Congress of South African Trade Unions (COSATU).²⁷ Members of COSATU were among the fifteen-member South African delegation that participated in the Gaza Freedom March in December 2009. They were instrumental in drafting the Cairo Declaration which states that all of Israel’s ‘oppressive acts are based ultimately on the Zionist ideology’ and which reaffirms the signatories’ commitment to ‘a global, mass democratic, anti-apartheid movement to work in full consultation with Palestinian civil society to implement the Palestinian call for BDS.’²⁸ Further, after Israel’s attack on the Gaza Freedom Flotilla on 31 May 2010, in which nine Turkish human rights workers were killed, the South African Transport and Allied Workers Union joined trade unions in several other countries in refusing to load or unload any Israeli ships at South African ports. We must note, however, that neither South Africa’s government nor the ANC has broken with the official international consensus and supported either the call for BDS or sanctions on Israel at the state level. Given the special moral authority that South Africa and the ANC have in the struggle against racism and apartheid worldwide,

such endorsement would undoubtedly give an enormous boost to the BDS campaign. It will likely remain a goal of many in South African civil society to push the ANC and the South African government toward a clearer and more active stance.

The first calls for boycotts, disinvestment and sanctions against South Africa were issued in the mid-1950s. It took until the 1980s for the campaign to become part of the mainstream in Europe and North America – where most of the state and corporate support for the apartheid regime was located. By 2010, the Palestinian BDS campaign appeared to have made as much progress in its first five years as the South African campaign had done in twenty years. This fact should give us enormous hope and motivation that the end of apartheid in Palestine is no distant dream but is very much within our grasp.

Every situation has unique features, and although there are patterns in history, it never repeats itself exactly. What we can conclude from studying the pasts and presents of others is that Palestinians and Israelis are no less capable of writing themselves a post-colonial future that gives everyone a chance at a life worth living in a single, democratic state.

Notes

1. See Ali Abunimah, 'Obama's peace effort has failed, but our struggle continues', *The Electronic Intifada*, 24 September 2009, <http://electronicintifada.net/v2/article10791.shtml>.
2. See Ali Abunimah, 'PLO paper reveals leadership bereft of strategy', *The Electronic Intifada*, 11 March 2010, <http://electronicintifada.net/v2/article11126.shtml>.
3. For a clear explanation of the current, durable binational reality, see Meron Benvenisti, 'United we stand', *Haaretz*, 29 January 2010, <http://www.haaretz.com/hasen/spages/1145896.html>.
4. Omar Barghouti (2009) coined the term 'ethical decolonisation'.
5. Hugo (1988).
6. Peter Goodspeed, 'Afrikaners cling to their all-white dream', *The Toronto Star*, 5 October 1986.
7. Manzo and McGowan (1992).
8. Manzo and McGowan (1992).
9. Manzo and McGowan (1992: 20).

10. William Claiborne, 'De Klerk rejects interim, multiracial rule: Proposal is key ANC demand for future power-sharing talks', *Washington Post*, 26 November 1989.
11. Or Afrikaner Resistance Movement – an extreme right-wing, white-supremacist, Afrikaner grouping.
12. See Allister Sparks, 'Backlash of the boers: South Africa's extreme right is gathering increasing support,' *Globe & Mail* (Canada), 31 May 1986.
13. Hugo (1998: 583).
14. 'A black South Africa?', *The Economist*, 1 February 1986.
15. See, for example, Ziyaad Lunat, 'The Netanyahu-Fayyad "economic peace" one year on', *The Electronic Intifada*, 10 February 2010, <http://electronicintifada.net/v2/article11065.shtml>.
16. Quoted in Hugo (1988: 581)
17. 'A black South Africa?' *The Economist*.
18. See Ali Abunimah, 'Israel's new strategy: "sabotage" and "attack" the global justice movement', *The Electronic Intifada*, 16 February 2010, <http://electronicintifada.net/v2/article11080.shtml>.
19. See Abunimah, 'Israel's new strategy'.
20. See Abunimah (2008).
21. Goodspeed, 'Afrikaners cling to their all-white dream.'
22. In its analysis cited earlier, see 'A black South Africa?' *The Economist*.
23. See 'The one state declaration', 29 November 2007, <http://electronicintifada.net/v2/article9134.shtml>.
24. See David Rose, 'The Gaza bombshell'. *Vanity Fair*, April 2008, <http://www.vanityfair.com/politics/features/2008/04/gaza200804>.
25. The following four documents articulate this vision:
 - *The future vision of the Palestinian Arabs in Israel*, published by The National Committee for the Heads of the Arab Local Authorities in Israel. <http://www.adalah.org/newsletter/eng/dec06/tasawormostaqbali.pdf>.
 - *The democratic constitution*, published by Adalah, a legal centre for Arab rights in Israel <http://www.adalah.org/eng/constitution.php>.
 - *An equal constitution for all? On a constitution and collective rights for Arab citizens in Israel*, published by the Mossawa Centre, an advocacy organisation that acts on behalf of Arab citizens in Israel. <http://www.mossawacenter.org/files/files/File/An%20Equal%20Constitution%20For%20All.pdf>.

- *The Haifa Declaration*. <http://www.mada-research.org/archive/haifaenglish.pdf>.
- 26. 'Palestinian call for boycott, divestment, and sanctions (BDS)', 9 July 2005, <http://www.pacbi.org/etemplate.php?id=66>.
- 27. See for example, 'COSATU president to address Gaza report-back rally in Lenasia', *COSATU Today*, Press release, January 2010. <http://www.cosatu.org.za/show.php?include=docs/pr/2010/pr0126b.html&ID=2842&cat=COSATU%20Today>.
- 28. See <http://cairodeclaration.org/>.

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Chapter Eighteen

Beyond ethnic nationalism: Lessons from South Africa

Na'eem Jeenah and Salim Vally

The nation of citizens does not derive its identity from some common ethnic and cultural properties, but rather from the praxis of citizens who actively exercise their civil rights

– Jurgens Habermas¹

We are of the view that we should operate as one united whole toward attainment of an egalitarian society for the whole of Azania. Therefore, entrenchment of tribalistic, racialistic or any form of sectional outlook is abhorred by us. We hate it and we seek to destroy it

– Steve Biko²

Suffice to say that unless the Gini Coefficient is tackled seriously, all talk of social cohesion and national unity is so much nonsense

– Neville Alexander³

The issue of nationhood is profoundly relevant to the debates surrounding the future of Palestine-Israel and of the people who inhabit what was British Mandate Palestine until 1948. It is easy simply to accept the dominant characterisation of this issue as a problem of two nations in conflict with each other but living in one land, and thereafter attempt to find ways to 'end the conflict'. However, any solutions that do not seriously and carefully consider the challenges posed by the national question have little chance of succeeding or of facilitating the development of better and more positive futures for both Palestinians and Israelis.

In this chapter, we provide an overview of some of the debates surrounding the national question in South Africa, which almost two decades after its first democratic election has hardly begun to deal with this issue, and we highlight ways in which the country is paying for that oversight. We then turn to the case of Palestine-Israel and consider what the national question really means for the inhabitants of the former British mandate (and the refugees who were forced to leave) and discuss why it needs urgent resolution. Accepting that a single state is the best and most just

solution for Palestinians and Israelis, we argue that a failure to resolve the national question in such a state, while it may lead to advances in terms of human rights, justice and peace for some, will prevent the construction of the solid foundations required for a new nation, and a better future will remain elusive for most.

The nation and the national question

Debates about what exactly constitutes a nation are broad and continue to rage. For us, a 'nation' is, to use Benedict Anderson's now-clichéd phraseology, an 'imagined community'.⁴ Our understanding of 'nation' and the national question in South Africa and in Palestine-Israel begins from the premise that all nations are constructed, both conceptually as well as physically, and do not simply exist because of certain common characteristics that their members might possess. Ernest Gellner saw nations as sets of 'invented traditions' comprising national symbols, mythology and suitably tailored history. 'Nations,' he wrote, 'as a natural, God-given way of classifying men [sic], as an inherent... political destiny, are a myth; nationalism, which sometimes takes pre-existing cultures and turns them into nations, sometimes invents them, and often obliterates pre-existing cultures: that is a reality.'⁵ In this, then, we disagree with Anthony Smith's view that 'the nation was always there, indeed it is part of the natural order, even when it was submerged in the hearts of its members'.⁶

A nation is a social construct that results in a sociological entity. It is created for the particular purpose of giving a group of people a common identity, so that its members might act in their own individual interests as well as in the interests of the created collective.

The 'national question' – like the definition of a nation – has been debated for decades, and it must be noted that both the modern debate about the definition of a nation as well as discussion of the national question were initially framed as European issues. That context has had a huge impact on how these concepts have been understood – both by the Europeans who initially theorised them and by others who later used these concepts for their own struggles. In particular, the national question has been a matter of great discussion among Marxists, particularly in the Soviet Union, who attempted to forge a new Soviet national identity capable of superseding the other identities of all the groups co-opted or coerced into that state. Unfortunately, that experiment came to be dominated by Stalin and his followers, and Marxists in colonised countries who wanted to ad-

dress the national question in their own contexts often simply adopted one or other European Marxist position without seriously questioning its relevance for their own African or Asian contexts. Nevertheless, national liberation movements in the colonised world took up the national question as a theoretical tool that might help them to build national unity or national cohesion in post-colonial scenarios and to formulate an understanding of the place not only of the colonised but also of settler-colonialists in such new states.

In the context of post-apartheid South Africa and future Palestinian-Israeli statehood, the national question focuses on a number of issues, including: how the notion of 'nation' is constructed; who is regarded as part of the 'nation'; what role ethnicity, class, language and religion play in defining the nation; the kind of recognition or protection that different groups within the new 'nation' might seek; the balance between a single nationhood and the necessity for redress within that nation; and the possibility of a unified or cohesive 'nation'.

While nations in the European context were often viewed in terms of common cultures, languages and so forth, this does not necessarily apply in the formerly colonised parts of the world. It was a European perspective that led scholars such as Smith to declare that a nation was 'a named human population sharing an historic territory, common myths and memories, a mass, public culture, a single economy and common rights and duties for all members... a territorial community of shared history and culture.'⁷ And, decades before, a similar perspective led Stalin to write that the characteristics of a nation included a 'common language' and 'a common psychological make-up, which manifests itself in a common culture'.⁸ By contrast, in parts of the world that were colonised and therefore not allowed to develop more 'naturally' in terms of group formation, group solidarity and state formation, nations are rarely comprised of people of common culture or language. Nations, in these contexts, are often a conglomeration of people who speak different languages and come from varying castes, ethnicities, religions, cultures and classes hammered together into communities that may share certain common interests and loyalties.

The term 'hammered together' is used deliberately here, for nations and national identities in such formerly colonised contexts have invariably been forged in the heat of struggle and on the anvil of oppression, exploitation, colonialism and, in most cases, racism. This background of struggle allows South Africans to talk about the national question as they do,

and facilitates similar discussions on the national question with regard to Palestine-Israel. Through these struggles, some formerly colonised countries have managed to emerge as single, somewhat cohesive, entities. Others – such as South Africa – are still battling to understand how to achieve this, having made some gains but still grappling with questions of ‘social cohesion’. Still others struggle through ongoing tension or open conflict.

The struggle and the national question in South Africa

The South African struggle against colonialism and apartheid aimed – even across ideologically divergent organisations – to create a new post-colonial and post-apartheid state that would be (to borrow a term from Palestinian-Israeli discourse) a ‘one-state solution’. That is, a state that would incorporate all the bantustans (or ‘independent homelands’ as the architects of apartheid preferred to call them) and would not entertain any notion of autonomous or self-governing territories (in any configuration) for any group. Inevitably, much of the focus of the struggle was on securing state power, that is, forcing the colonial and then the apartheid state to concede equal rights to black people. Far less attention was given to the project of building a new nation (as opposed to a new state).

Indeed, by April 1994, when South Africa held its first democratic election, no consensus on the national question had been reached – even within the broad liberation movement that included the Congress Movement (the African National Congress and its allies), the Africanists, the Black Consciousness Movement and others. Of course, within the ruling Afrikaner elite, the national question had been answered earlier. The apartheid power structure regarded South Africans as belonging to a multiplicity of nations: that is, the white, coloured, indian and nine african ‘nations’ – each african nation defined by its own linguistic background. White liberals, meanwhile, essentially viewed South Africans in terms of four nations: white, coloured, indian and african.

Matters become more complicated when we consider the national question as viewed by black people, and, in particular, by various sections of the liberation movement.⁹ The dominant Congress Movement mostly supported the idea of what some referred to as the ‘One South Africa, Four Nations’ theory, and organised itself within the country accordingly.¹⁰ Thus, by the late 1980s, the Congress Movement consisted of the banned African National Congress (ANC), the Natal and Transvaal Indian Congresses, the white Congress of Democrats, the coloured United Committee of Concern and dozens

of other organisations that were part of the United Democratic Front – including the Congress of South African Trade Unions. The exception was the South African Communist Party which, while firmly aligned with the Congress Movement, was always non-racial, but the ANC certainly always viewed South Africans as either whites, coloureds, indians or africans and envisaged the future non-racial South Africa in terms of these separate groups.

The Africanist section of the liberation movement – mainly the Pan-Africanist Congress – believed, essentially, that ‘the nation’ was comprised only of ‘africans’. All others were foreigners or ‘national minorities’. The leftist Unity Movement, which took the national question more seriously than any other group, disregarded ‘race’ as a defining characteristic of ‘the nation’ and saw all South Africans as belonging to a common ‘nation’. The Black Consciousness Movement stressed the notion of black solidarity and argued that africans, indians, and coloureds were all ‘black’ and oppressed. Black consciousness initially worked towards the psychological liberation of black people and the creation of a new society in which ‘white values’ would be disregarded in favour of the values of the oppressed people. Despite its slogan of ‘One Azania, One Nation’, it is difficult to argue that, at a theoretical level, the Black Consciousness Movement believed that South Africans made up (or would make up) a single nation. One could, perhaps, characterise its position as a ‘two-nation’ theory.

In 1994, after a three-century-long struggle against colonialism and apartheid, South Africans finally voted in our first democratic election. The objective of a single, united, democratic state had finally been achieved within the framework of a state with equal rights for all its citizens and a constitution with a strong bill of rights based on individual rights. The ‘transition’ from apartheid to democracy has not been a smooth one. In the period between the unbanning of the various liberation movements in February 1990 and the election in April 1994, South Africa witnessed the worst ever political violence with just under 15 000 people being killed¹¹ – more than in the rest of the apartheid period from 1948. In those tense four years nothing was certain and many South Africans cringed as we lived through negotiations that could easily have led to massive compromises with the potential to undermine the South African people and our struggle. Nevertheless, the 1994 civil war – that thousands of journalists from around the world descended on South Africa to report upon – did not happen. And the immediate post-election period – characterised as it was by the inauguration of Nelson Mandela as president, the attempt to recruit

South Africa's sports teams (white as they were) into the nation-building project, the subversion of the national anthem into a mixture of the people's and the apartheid anthems, the symbolism of integrating South African freedom fighters into the apartheid army and the adoption of a new flag¹² – was a euphoric time for many. It seemed that South Africa and South Africans were finally free. The Interim Constitution, which came into effect in April 1994, and the Constitution of the Republic of South Africa, which came into effect in 1996, set up a number of institutions in order to protect that freedom.

Post-apartheid South Africa and the national question

The initial euphoria masked the very real problems that plagued the nascent South African nation. Many of these problems can arguably be traced to the fact that the national question was never resolved and they beg the question: what, exactly, is the South African nation or, even, the South African nation in formation?

The preamble to the South African Constitution – that great document that South Africans love to flaunt on the world stage as an indicator of how progressive the country is – states that: 'South Africa belongs to all who live in it,' and calls for the realisation of 'a unity in our diversity'.¹³ The first of these two quotes reminds us of the Freedom Charter, which was, for many years, the guiding document of the Congress Movement. Its first clause said: 'South Africa belongs to all who live in it, black and white.' The drafters of the constitution had the good sense to remove the second part, thus allowing for an interpretation that suggests single nationhood. Nevertheless, Kristina Bentley and Adam Habib go too far, in our opinion, when they refer to these clauses in the Constitution's preamble and assert: 'This implicit call for the development of a single nationhood is perhaps the overriding goal of South Africa's Constitution.'¹⁴ The Constitution does not address the national question as unequivocally as they suggest.

From a theoretical perspective, the national question has not been properly addressed and the South African political, economic and social elites have been happy enough to ride the wave of 1994's euphoria, believing that 'reconciliation' was all that was required in South Africa. Reconciliation, for them, meant that since democratic elections had taken place and a government dominated by blacks held power, the country should return to 'business as usual'.¹⁵

Neither reconciliation nor nationhood, of course, can be established by decrees or good intentions. They require numerous processes of, particularly, engagement with the past and the redress of past injustices. Another quote from the preamble of the South African Constitution might be instructive in this regard. The purpose of the Constitution, it says, is to 'heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights'.¹⁶ This could be construed as pointing to the notion of a single united nation, and is premised on healing the divisions of the past and, of course, on the acceptance by all of 'democratic values, social justice and fundamental human rights' as a basis for a new society. However, that new society, that single nation, will never evolve out of good intentions and reconciliatory statements alone, no matter how much the political elite might wish it so.

For ordinary working class South Africans, the development of the constitution and the process of 'reconciliation', such as it has been, have contributed little or nothing to ending their lives of struggle, misery, poverty and racism. South Africa has become one of the most unequal societies in the world, with a Gini coefficient of 0.7;¹⁷ promises of better lives for all remain largely unfulfilled despite progress made in some areas in terms of the provision of basic services. The non-resolution of the national question means that the basic needs of poor people – for which they themselves struggled and sacrificed many martyrs – have not been met on the whole; and, for many in the rural areas and in the urban townships and squatter camps, the experience of racism has changed only slightly. John Saul, the Canadian scholar and veteran southern African solidarity activist, in a chapter evocatively titled 'Identifying Class, Classifying Difference', quotes Himani Bannerjee as having underscored

the absurdity of attempting to see identity and difference as historical forms of consciousness unconnected to class formation, the development of capitalism and class politics. But also the impossibility of considering class itself outside the gendering and race-ing that so often significantly characterise it in the concrete.¹⁸

The inability to address issues of poverty in fundamental ways or effectively to redress past injustices now threaten to undermine the notion of a single South African nation – even if South Africans wear the same sporting jerseys and cheer together for their national sports teams from time to time.

To be fair, there have been some changes and some movement towards the building of a new nation. Among the significant and progressive developments that point in the right direction in terms of redress and the building of a new nation are the adoption of a national constitution that is accepted by all citizens as their own and is regarded as a touchstone for the meaning of justice and rights; the entrenchment within South African law and society of the notion of individual as well as collective rights; the dismantling of the bantustans and the incorporation of all bantustans and their administrations into a single South African polity. Some forms of redress, albeit limited, have also been established. For example, black economic empowerment and affirmative-action programmes have added some colour to the ranks of the bourgeoisie and the professional and management classes – especially within the public service. At the same time, the ranks of the poor have gained some white families.

Despite these changes, the deepening socio-economic inequality and the insubstantial improvements in service delivery by the state to the urban and rural poor remain significant problems. Even if a serious and careful nation-building project was launched in South Africa, it would be quickly undermined if these socio-economic realities continue to be neglected.

The lack of understanding and consensus around the notion of a single South African nation has also had repercussions for those who are not South African. Early in 2008, hundreds of foreigners in South Africa fell victim to xenophobic attacks that engulfed the country. Many poverty stricken neighbourhoods in South Africa became overwhelmed in an orgy of appalling xenophobic violence directed against fellow Africans who, fleeing countries beset by civil war, despotic government and poverty, are perceived to be diverting the meagre resources that are available away from a frustrated local population. This violent intolerance is a sad commentary on the failure of numerous formal policies, constitutional reforms and new institutions intended to usher in a more caring and compassionate society. Those few weeks forced many South Africans to concede that we had serious problems.

As the violence died down, however, and the media found other things to focus on, the issue was relegated to the backburner even though it flares up sporadically. But the truth of the matter is that South Africans have no understanding of themselves as a single nation and, poor South Africans in particular, see themselves as isolated individuals who have to

defend themselves within a sea of hostility. Eschewing romanticism, Howard Zinn, writing of another context that is apposite here too, sagaciously observed, ‘the victims, themselves desperate and tainted with the culture that oppresses them, turn on other victims.’¹⁹

Bentley and Habib are correct that,

what is required is a more *inclusive* notion of national identity, which would entail empathy for the fate of others and an ability to identify with them. And the way to achieve this and realise a sense of solidarity is by the sharing of institutions and a reduction of material inequalities... What is frequently seen as a cultural difference is in fact one of material circumstance. While it is true that the very rich and the very poor may have difficulty in empathising and identifying with one another, this is not a matter of cultural diversity and nor should it be treated as congruent with racial identity.²⁰

The success of South Africa’s democracy will depend on all South African citizens developing new attitudes towards each other and towards the collective. There needs to be an acceptance of responsibility towards the collective, an understanding that everyone’s interests count equally, and a preparedness by all to make certain sacrifices for the common good – even if it does not result in the individual necessarily reaping any reward.

The national question in Palestine-Israel

As is the case in South Africa, the resolution of the national question is crucial for any model of statehood that seeks to provide justice and peace for the people of Palestine-Israel, as well as providing a favourable environment and good prospects for individual selfhood, group identity and security. In the long run, a failure to resolve the national question will spell disaster for any solution that is agreed on.

A common understanding of the Palestinian-Israeli context is that Palestine-Israel consists of two nations: a Palestinian nation and an Israeli (or Jewish Israeli) nation. This understanding, however, requires some interrogation. Firstly, while it might be tempting to accept Smith’s assertion that the nation ‘was always there’ when referring to the Palestinian nation, this argument is difficult to sustain. Rashid Khalidi,²¹ for example, concludes that Palestinian nationalism or Palestinian national consciousness can be traced back to the early twentieth century. On the other hand, Baruch Kimmerling and Joel Migdal²² suggest that the notion of a Palestinian nation can be

traced back to the 1834 peasant revolt against the Egyptians. Prior to that, there was no distinct Palestinian identity or nation separate from an Arab or Syrian one.

Secondly, despite the fiction perpetuated by the Zionist movement, the Israeli nation is even younger – dating to 1948. But the notion of the Israeli nation is much more complicated. One factor is that a fifth of Israeli citizens are not regarded as part of the Israeli nation. Indeed, Israel's distinction between citizenship and nationality is perhaps the most significant reason why Israel should be characterised as an ethnic state. The complication goes further and deeper, however. According to Israel, there is, in fact, no such thing as an Israeli nation. There is only Israeli 'citizenship'; the 'nation' is not Israeli but Jewish. In the words of Miloon Kothari, who served as United Nations Special Rapporteur on adequate housing:

Nationality status in Israel is not linked to origin from, or residence in a territory, as is the norm in international law. Rather, the basic theocratic character of the Israeli legal system establishes ethnic criteria as the grounds for the enjoyment of full rights. The Israeli Citizenship Law (*ezrahut*), officially mistranslated as 'Nationality Law', establishes a civil status distinct from 'Jewish nationality'.²³

Kothari quotes the president of Israel's high court in 1971, Shimon Agranat, as saying that acknowledging a uniform Israeli nationality – that is, a nationality that extends to all citizens of the state – 'would negate the very foundation upon which the State of Israel was formed'.²⁴ According to Israel, then, the 'nation' associated with the State of Israel is the 'Jewish nation' across the globe – irrespective of whether they reside or wish to reside in Israel, while non-Jewish citizens are excluded from the privilege of being part of the nation associated with the state in which they are citizens.

As Shlomo Sand argues,²⁵ the notion of a 'Jewish nation' is highly problematic. It is a notion that has been invented (Benedict Anderson might say 'imagined') mainly for political objectives. That people of different nationalities, different ethnicities, different languages, who are different religiously and who populate countries around the globe, came to be regarded as a single nation was a sleight of hand that was intended to justify and then prop up the idea of a Jewish state – while creating the basis for the exclusion of the indigenes of Palestine.

Both the Palestinian and Jewish (or Jewish Israeli) 'nations' – like all nations – have been constructed, through different circumstances and for different reasons. In the case of the 'Jewish nation' it was not only constructed but also imposed on those that the Zionist movement sought (and seeks) to include within the 'nation' as it defines it – even if they oppose being identified in that way. Palestinian 'nationhood' was forged largely in the crucible of struggle – against Ottoman imperial objectives and practice, against British colonialism and, more recently, against Jewish settler colonialism and Israeli apartheid. Events such as the revolts of the 1930s – especially the six-month-long general strike by Palestinians in 1936, the longest general strike in history – contributed significantly to the development of Palestinian identity and saw the emergence of Palestinian national symbols such as the keffiyeh.

The Jewish 'nation' was imagined by using particular interpretations of biblical historiography, theological aspirations, the Nazi genocide against Jews and, subsequently, a series of wars starting in 1948. While the struggle for justice and freedom has been central to the creation of a Palestinian nation, the concern for security and safety has been central to the idea of a Jewish 'nation'. This is highly problematic; it posits a group of people who share little but a supposed need for security as a global nation. People who may have no connection to the territory and might not have even visited it (or have any wish to do so) are regarded as part of a community that resides in that territory. They are given more rights than the indigenous people of that territory and are required to have allegiance to it.

When we look at the current situation in Palestine-Israel, we see a potential nation, located in the British mandate, which is currently dismembered and constantly theorised as being made up of many nations. On the one hand, we have the constant reinforcement of the fallacy of a global Jewish nation which owns the territory (or the bulk of the territory). Such a conceptualisation serves the interests of the Zionist movement and no one else – not even that of Jews (either in Israel or in the rest of the world). Even Zionists would not really want all the members of their imagined 'Jewish nation' to take up residence in Israel. Not only would that stretch the country's resources beyond what can be managed, it would also destroy a great source of the Zionist movement's power – that is, the Jewish presence in countries around the world and the way in which that presence can be used to influence other states in their relations with Israel. On the other hand, Palestinians have been forcefully divided, even forbidden

contact with each other, living in reserves (and refugee camps) in the West Bank and Gaza, in developing reserves within Jerusalem, as a deprived minority in Israel, and – mostly – in refugee camps outside Palestine. The reality today is that both Palestinian and Jewish imaginations of nationhood are problematic in different ways: one is only less than a century old and the other is largely fictitious.

Palestinian-Israeli resolution of the national question

Assuming, as we do, that any successful future for the people of the former British mandate has to be predicated on justice and peace for all of them, we believe that the two-state model offers no such solution. We will not argue the case for a one-state solution here; that has been done on numerous occasions.²⁶ It is sufficient to state that we agree that a two-state model will provide no justice for Palestinian refugees; cannot properly resolve the question of Palestinian land stolen through the wall and settlements; and, in Israel, it leaves the issue of the oppressed Palestinian minority unresolved and does not deal with the question of a just sharing of resources between all the people. A two-state model allows neither justice for Palestinians nor peace for Israeli Jews. The only possibilities for such a model fall within a narrow range of configurations – from a South African bantustan model to a non-viable Palestinian pseudo-state. And, as Joel Kovel put it:

Within Israeli discourse the notion of two states simply means then the continued aggrandisement of the Jewish state along with the more or less negligible other state on an ever-shrinking fragment of land. What it does not mean is an equitable sharing of the space of Palestine. The negligibility of the Palestinian state is exactly what is happening in reality. More than half a century of chewing and gnawing away at Palestinian land has left the latter more a rag doll on a stick than the framework for a living organism, down to some 8% of the original territory... laced with Jews-only roads and peppered with hundreds of settlements that arrogate the water and resources... a dumping ground for Israeli waste, its fields and olive trees destroyed, its land carved up by the apartheid wall, the potential Palestinian state is no more than a bad joke.²⁷

The argument for a one-state solution has been (and will continue to be) made in various ways, and addressing it is not part of this chapter's objectives. Instead, the issue for us is how the national question might be

addressed within such a one-state solution. The notion of a binational state – proposed and argued for by many eminent Palestinians, Israelis and Jews around the world will, we believe, subvert the development of a new nation. By definition, a binational state assumes that there exist two nations in a new state. While many arguments have been made for how a binational state might satisfy the needs of both Palestinians and Israelis, we believe it could entrench and reinforce division. It would thus suspend, rather than address, the national question and the longer-term issues of justice. Superficially, it seems to satisfy the needs of all residents. In reality, however, this model has the potential to create an environment that allows past hatreds to be nurtured and fester, while seeming to address all citizens' concerns. It also sets the scene for constant future challenges on the basis of one or the other group feeling that it has been cheated of its rights.

The only solution that can properly deal with the national question in Palestine-Israel is a single uni-national state with a strong constitution and strong constitutional guarantees capable of protecting individual citizens as well as allowing certain kinds of group protections and rights. Of necessity, it will have to be a new nation whose members are only those people who are the inhabitants of Palestine-Israel as well as the Palestinian refugees who were forced to leave their homes. Any notion of extra-territorial nationhood will doom such a project from the beginning. An examination of the South African Constitution illustrates how group protections and rights are possible even within a constitution that is based on individual rights. The South African Constitution, while based on the notion of equal individual rights for all citizens (where 'all citizens are equally entitled to the rights, privileges and benefits of citizenship' as stated in the Bill of Rights), also deals with some forms of group rights.

Examples of these group rights include constitutional acknowledgement for:

- the passage of legislation granting recognition to religious or cultural systems of family law;
- the right to practice particular cultures and religions collectively;
- the recognition of communal ownership of land; and
- trade-union rights.

Through the interpretation of the constitution, such rights would also be guaranteed through various pieces of legislation, state policies and com-

mon law. To revert for a moment to the case of South Africa, one example relates to the question of religion and education. The South African Schools Act of 1996 provides for learners to dress in a manner consistent with their religions or cultures. A famous constitutional court judgment²⁸ – the so-called ‘nose-stud case’, recognised the right of female Tamil learners to wear nose studs to school, making the point that there was no ‘normative’ tradition in schools. The Schools Act also provides for both religion education and religious education in schools – the first being lessons about the world’s religions, and the second being instruction for adherents of the religion that is dominant in the community served by a particular school, with other students having the choice to opt out. Another South African example relates to family law. In giving legislative form to the constitutional clause regarding systems of family law, South Africa has enacted legislation recognising african customary unions and is discussing legislation to recognise Muslim marriages.

Such provisions and legislation need careful attention in order to draw out lessons for the Palestine-Israeli context. But they point to ways in which a new single nation can be forged while still allowing for certain peculiarities, requirements and fears to be addressed. The objective of this nation-building project would be a new nation, nationalism and national consciousness that will view all inhabitants of Palestine-Israel as part of a single entity whose futures are intricately tied together and who have shared objectives, common symbols, shared values and a common identity. Among the necessary provisions and guarantees would be, for example, guarantees of individual and communal security. This will be critical for Palestinians and Jewish Israelis, but will have special resonance for Jewish citizens. Options to give substance to such guarantees could include such provisions as a demilitarised new state and a limited role for the international community in maintaining peace.

However, as if the need to provide the constitutional and social frameworks for building a single nation was not enough of a burden, a necessary additional one is that mechanisms be provided for the redress of past injustices. As in South Africa, no nation-building project will succeed if sufficient attention is not given to redress for those who were previously oppressed and disadvantaged. Ignoring this aspect of redress could create the pretence of a single nation while, in reality, perpetuating the oppression of those who have already suffered for decades. Such attempts at redress will need to consider the Palestinians who, among other things,

have suffered decades of land and house theft and sustained humiliation through various other forms of discrimination, disadvantage and exclusion, as well as gross human-rights violations such as murder and torture. Crucially, no redress for Palestinians can be considered adequate if it does not include the right of return for all Palestinian refugees, the restoration of their lands and homes and compensation for their decades of suffering.

The big challenge for the nation-building project will be to build the foundations of a single nation while ensuring redress; promoting the political and socio-economic affirmation of those who were historically excluded, while simultaneously retaining the commitment of the descendants of those who were historically advantaged.

The two parts of this challenge – nation-building and redress – must be compatible with each other. Bentley and Habib, referring to South Africa, write in terms that could equally apply to a new Palestine-Israel state:

[Redress] must be founded on the construction of a rights regime that is uniform, in terms of both benefits and responsibilities, for all social groups in society. And it must also encourage and enable citizens to make the political choice of forging a common future through the establishment of a single political entity. Any assessment of redress, then, must be based on two distinct criteria: first, on how successful it is in advancing a social-justice agenda defined by addressing the historical disparities; and, second, whether it facilitates the emergence of a national consciousness that is supportive of and enables the coming into being and sustainability of a single national political entity. These two criteria can, but need not, be in conflict. Of course, a tension will always exist between the two. But this tension can be managed.²⁹

Simultaneous with building a new Palestinian-Israeli nation, then, must be a process that will address the dispossession, economic deprivation, social degradation, and refugeehood suffered by Palestinians through the period of occupation, colonisation, and apartheid. A new Palestinian-Israeli nation cannot be imagined if it implies the legitimisation of land theft as is the case in various parts of the West Bank and within Israel, or of the deliberate disadvantaging and humiliation suffered by Palestinians for decades. Redress for Palestinians will be meaningless if it does not include, accommodate and empower Palestinian refugees and compensate them for their losses and their misery since 1948.

In South Africa, a number of mechanisms were established to fulfil the requirement of redress. They included the Truth and Reconciliation Commission; a land-claims process; policies around affirmative action and black economic empowerment. Despite all the problems associated with these mechanisms in terms of dealing with the issue of redress – and there are many problems – they illustrate what could be possible in a new Palestinian-Israeli context where the challenge of building a new nation and addressing past injustices is faced and accepted. Furthermore, the advances that have already been seen in South Africa – as alluded to earlier – also point to the possibilities for Palestine-Israel.

Conclusion

'Political communities are defined, in the final analysis, not by a common past but by a resolve to forge a common future under a single political roof, regardless of how different or similar their pasts may be.'³⁰ Forging a common future under a single political-national roof must be the future for Israelis and Palestinians and is the only future that guarantees justice and peace. The recognition of the need to build such a common future, and embarking on a process towards it, will succeed in liberating not only Palestinians, but Israelis too. Just as, in the South African context, the end of apartheid marked the beginning of the liberation of black people as well as white.

A common future will begin to be built when there is agreement that a new nation needs to be forged within a new state. However, while it might be tempting to talk about the new state now and leave the question of the new nation for some post-liberatory phase, this would be a huge mistake. The national question has to be engaged with and addressed immediately. It has to be on the table for resolution in any negotiation process for a new future. If delayed, the disastrous consequences for Palestinians and Jewish Israelis could plunge the region into a deep and long-lasting morass. It was postponed in South Africa, and South Africans are now living with the consequences.

We take some inspiration for the possibilities of such a project from the words of Amílcar Cabral, even though they were written in a different context:

Ten years ago, we were Fula, Mandjak, Mandinka, Balante, Pepel, and others. Now we are a nation of Guineans. Tribal divisions were one reason the Portuguese thought it would not be possible for us to fight.

During these ten years we were making more and more changes, so that today we can see that there is a new man and a new woman, born with our new nation, and because of our fight. This is because of our ability to fight as a nation.³¹

South Africans have not managed to forge a new nation as yet, despite some important advances, including the rapid merging of fourteen formerly racially based education departments into one national education department. Such successes (even if the new education system is still split along class – and thus racial – lines) make one hopeful that the project of nation-building is possible in both South Africa and in Palestine-Israel.

That we are suggesting that a new nation can be forged from people who have such disparate narratives of the past as Palestinians and Jews do should not be intimidating. ‘Getting its history wrong,’ Renan comforted French nationalists in 1882, ‘is crucial for the creation of a nation.’³² Forging a new nation also means forging a new history.

Perhaps the time has come for Palestinians and justice-loving Israelis to imagine a new future. Perhaps it is time for both sides to cease their obsessions with separate statehood – which, in the current circumstances, offers little more than a route to perpetual injustice. Hopes and fears of imminent revolution need to be let go in favour of a new phase in which the primary project will be to build a single, common Palestinian-Israeli nation and introduce mechanisms and structures that ensure both justice and peace.

Notes

1. Habermas (1992).
2. Biko (1987: 147). This is from an interview that took place shortly before his murder.
3. Speech to the Foundation for Human Rights, Johannesburg, on its 10th anniversary, 2006.
4. Anderson (1983).
5. Gellner (1983: 48).
6. Smith (1994: 18).
7. Smith (1991: 14).
8. Stalin (1947/1954: 305, 306).
9. See No Sizwe (1979) for a detailed discussion of this issue.

10. See Neville Alexander's chapter in this volume.
11. Hamber (1998).
12. Although meaning has since accreted to the numerous colours in the flag of the Republic of South Africa, at the time of its adoption it was not imbued with these meanings. It was simply a flag that looked good and would be acceptable to a broad cross section of the South African population – see <http://www.info.gov.za/aboutgovt/symbols/flag.htm>.
13. Constitution of the Republic of South Africa, Act No. 108 of 1996.
14. Bentley and Habib (2008: 19).
15. Neville Alexander's chapter in this volume addresses this question and this failure.
16. Constitution of the Republic of South Africa, Act No. 108 of 1996.
17. World Bank (2012).
18. Saul (2006: 64–65).
19. Zinn (2004: 2).
20. Bentley and Habib (2008: 12–13).
21. Khalidi (1997).
22. Kimmerling and Migdal (1993).
23. UN Commission on Human Rights (2002).
24. UN Commission on Human Rights (2002: 23).
25. See Sand (2010), and Sand's chapter in this volume.
26. See, for example, Abunimah (2007) and this volume; Tilley (2005); Kovel (2007).
27. Kovel (2007: 216).
28. MEC for Education: KwaZulu-Natal and Others v Pillay (CCT 51/06) [2007] ZACC 21; 2008 (1) SA 474 (CC); 2008 (2) BCLR 99 (CC) (5 October 2007).
29. Bentley and Habib (2008: 12).
30. Mamdani (2001: 661).
31. Cabral (1972).
32. Renan (1882/1990: 11) – this is Renan's famous lecture delivered at the Sorbonne University on 11 March 1882.

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This powerful collection from an international mix of respected academics, newer voices and political activists explores the place of Israel as a Jewish state in today's modern world – a world in which identities, citizenship and human rights are defined in increasingly cosmopolitan and inclusive ways.

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