

**INTERNAL CONTROL IN ISRAEL AND
SOUTH AFRICA**

The Mechanisms of Colonial-Settler Regimes

by
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and
Richard P. Stevens



**THE INTERNATIONAL ORGANIZATION
FOR THE ELIMINATION OF ALL FORMS OF
RACIAL DISCRIMINATION
(EAFORD)**

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Universal Declaration of Human Rights

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A settler-colonial regime, as distinct from general imperialistic schemes, involves not only the exploitation of a territory's natural and human resources, but also entails the "permanent" transfer of people from a metropolitan center. These settlers, it can be expected, will struggle to maintain their privileged economic, political and social position, and, in so doing, keep the indigenous population under control at minimal cost. Some countries, such as the United States, Canada and Australia, were assisted in their "solution" to the "native problem" not only through force of arms but by the spread of fatal disease. Occasionally, as was the case in various Latin American countries, European settlers were assimilated to or by the indigenous population. Finally, there remains those settler-colonial states where Europeans have attempted to maintain their position by structuring political and legal devices which would permanently hold the indigenous populace on a subordinate level of inferiority. After the failure of such efforts in Algeria and Rhodesia, only Israel and South Africa remain as examples of this approach to domination.

As might be expected there are numerous similarities—ideological, historical, political and economic—observable in the establishment and maintenance of Israel and South Africa. Beginning with similar religious and historical myths used to justify their initial establishment, both the Afrikaners of South Africa and the Zionists in Palestine-Israel would proceed to the creation of legal structures designed to discriminate against the indigenous population and maintain settler control.

The Myths: Religious and Historical

A variety of religious and historical myths have been utilized by the propagandists and apologists of South African *apartheid* (race separation) and Israeli Zionism to justify and explain the presence and

dominant position of their respective groups. At a time when colonialism and imperialism are considered anathema by the international community, Afrikaners and Zionists have felt the need to disassociate themselves from their own imperialist-colonial roots. Not only do they reject these origins but they assert that they themselves led the fight against imperialism which had laid its heavy hand upon them.

It is in this vein that Afrikaner politicians and historians point to the great Voortrek, when their Boer, herder-farmer ancestors pushed north to establish the independent republics of Transvaal and the Orange Free State to escape the "oppressive" British regime. Furthermore, they cite two wars (1881 and 1899-1902) which they waged to prevent annexation to British-controlled Cape Province. The Afrikaners also claim that they are in effect simply a "white tribe," and that through right of extended occupation they have become "indigenous" (Afrikaners) to the continent.¹ A corollary of this argument is that since they have lived in South Africa so long they really have no "mother country" of possible return. In short, South Africa is their rightful homeland and they will fight to the death to retain it.

The Zionists, especially those of the political left, are even more fervent in their attempt to disassociate Israel from any colonial taint. Citing the well-known socialist origins of some of the early Zionist pioneers and their collectivist *kibbutzim*, Zionist apologists attempt to refute all allegations of a colonialist mentality or basis. They also point to the writings of such Marxist Zionists as Ber Borochov and A.D. Gordon, who advocated Jewish labor for Jewish lands so as not to "exploit" the Arab peasantry. As Maxime Rodinson succinctly summarizes the argument, "The implicit conclusion is that a society so deeply permeated with the leaven of socialism cannot be termed colonialist or imperialist."² Like the Afrikaners, the Zionists claim that they led the anti-colonial struggle, a theme which is common among right-wing Zionists, particularly former members of the Irgun and Stern groups. These elements are especially proud of their role in the anti-British terror campaign of the 1940s which, they claim, forced the British to relinquish the Palestine Mandate.³ Zionists also claim that the continued presence in Palestine of people of the Jewish faith for an unbroken stretch of two thousand years validates their right to return to their ancient homeland. The continued religious attachment to "the Land of Zion" and the awaited return through divine intervention ("Next year in Jerusalem") are commonly cited as proof of a continuous Jewish link to the area in dispute. Also, like the Afrikaners, Zionist Israelis claim that there is no "mother country" because of "anti-Semitic" ra-

cism present in all countries.

Both Afrikaners and Zionists bolster their claims to settle in and control their respective lands through what can be termed an historical-religious amalgam. Both claim they are in effect a "Chosen People" of God which justifies their superiority and necessary separateness from the "lesser" peoples around them. Furthermore, they attempt to maintain this separateness by making mixed marriages illegal in South Africa and by imposing legal restrictions in Israel which would severely inhibit Jewish-Gentile amalgamation; when it does occur the Jewish element must predominate.

Another argument put forward by both Afrikaners and Zionists is that the land which they colonized was uninhabited at the time of their own arrival. Thus, Afrikaner historians advanced the spurious claim that both whites and blacks arrived at the same time while ignoring the presence of the Khoisan population. Foreign Minister R.F. Botha insisted before the United Nations Security Council in 1974 that whites and blacks converged "upon what was then an almost uninhabited part of the continent."⁴ Thus, Afrikaners claim that they did not dispossess the blacks since there were none living there.

The Zionist position in this regard is more extreme in that they would even deny the existence of a "native people" in their "Land of Zion." Palestine, they claim, was a "land without a people for a people without a land." Such an assertion was in keeping with Zionist strategy set forth by Herzl who, during a meeting with the British colonial secretary, Joseph Chamberlain, managed to elicit the promise that "... if I could show him [Chamberlain] a spot in the English possessions where there were no *white* (ital. added) people as yet, we could talk about that."⁵ Golda Meir, as Israeli prime minister, would reemphasize this Zionist attitude and mentality when she stated that "it was not as though there was a Palestinian People in Palestine considering itself as a Palestinian People and we came and threw them out and took their country away from them. They did not exist."⁶ Shlomo Avineri explains this Zionist "blindness" not as a result of the Zionist pioneers' colonial mentality but because these "founding fathers" were idealists and humanists. Had they realized, he says, that the "prize of Zionism [was] . . . removal of the Arabs," they might have been forced to abandon the Zionist project on moral grounds. "Ignoring the concreteness of the Arab problem was an internal defence mechanism of Zionist consciousness," according to Avineri.⁷

Thus, both Afrikaners and Zionists reject their colonialist origins and claim, on the contrary, that by historical right they are now as in-

digenous, if not more so, than the local inhabitants. They bolster these claims not only with an appeal to transcendental rights from God as "Chosen People," but also in the modern terminology as victors against colonialism, both claiming that they led the decolonization movement in their respective regions against the British.

Determination of Personal Status

The determination of one's personal status is of the utmost importance in South African and Israeli society. To be white or Jewish is a very different matter, socially, politically and economically, than it is to be black, colored or non-Jewish. To be members of the first group is to have greater political rights, to have access to economic advantages denied the other groups and, most importantly, to know that the government, the police, the courts, the system is working for you rather than against you. These things are all denied to the native black and Arab peoples. They are made to feel like strangers in their own land, the land of their ancestors for past generations.

In South Africa, the Population Registration Act of 1950 is considered the cornerstone of the *apartheid* system. It requires that each resident of South Africa be classified into one of three groups: white, colored or black. The colored classification is further subdivided into eight major tribal groups by another law.⁸ However, no distinction is made between Afrikaner whites and English whites, even though they speak mutually unintelligible languages.

Moreover, people can be racially reclassified by the government. In 1978, ten whites were reclassified as colored and 150 coloreds "made" whites. The hardships are obvious. As John Dugard, a leading South African lawyer, stated:

The implementation of the Population Registration Act is strewn with human suffering. Families are torn apart when husbands and wives, parents and children, brothers and sisters are differently classified, with all the ensuing consequences to their personal, economic, and political lives.⁹

In Israel, the issue is not as clear-cut as it is in South Africa. One will not find a law passed by the Knesset that is the equivalent of the Population Registration Act. However, the combination of the Law of Return (1950), the Nationality Law (1952), and the government's policy of allowing the religious authorities and courts of the respective religions to handle issues of personal status (i.e., who is a Jew, Christian or Muslim, and the issues of marriage and divorce, etc.) serves the

same purpose.

According to the Law of Return and the Nationality Law, any Jew arriving in Israel and desiring to become a citizen is automatically and unconditionally granted his request. Muslim and Christian Arabs, even if they were born inside the territory of Israel, can only obtain citizenship through a complicated nationalization process that includes their having an adequate knowledge of Hebrew, even though Arabic is an official language of Israel. Furthermore, the Israeli minister of interior has the discretion to grant or refuse the application.¹⁰

The religious authorities, specifically the rabbinical courts, enter the picture when it comes time to determine who is and is not a Jew, thus affecting the applicant's ability to claim Israeli citizenship as a Jew. As is the case in South Africa, there are numerous examples of Israeli families divided by this need to be religiously classified. In the instance of the Akwitz family, the father, a Russian Jew and the mother, a Russian Christian, emigrated to Israel with their two sons. When the oldest son applied for the army, he was classified as a Russian and a Christian. "According to the law applying to personal status in Israel, it was as if the father had not married his wife at all, and as if his children were not his children, but only of their mother; and so it is that father and son belong to different nations and two different religions."¹¹ Thus, the Israeli government neatly sidesteps any charges of legislated discrimination by leaving the classification of the inhabitants to the rabbinical courts.

De Jure vs. De Facto Discrimination

The Afrikaans word *apartheid* literally means "separateness," but has come to stand for the entire system of racial discrimination that was first codified in the early 1950s following the election of the Nationalist Party in 1948. The series of laws promulgated about that time have formed the basis for the most rigid system of legislated discrimination.

As was noted earlier, the Afrikaners, wishing to preserve their racial purity, have created laws that strictly forbid intermarriage and any sexual relations or "immoral or indecent act" between a white and a black (Prohibition of Mixed Marriages 1949, the Immorality Acts 1929, 1950, 1957).¹² In order to physically segregate the races, the South African government had promulgated several laws, the most important of which is the Group Areas Act (1950). In essence, it designates certain areas, usually urban, for the various races. The rational,

according to F.P. Rousseau, a legal advisor on group areas matters, is that

the clashes and difficulties between persons of different races which other countries have experienced have had their origins almost entirely in undesired occupation. If your neighbor by reason of his race has a way of life different from yours, so that his proximity offends you, you are not likely to worry about the racial group of his landlord.¹³

Thus, the idea of occupation is emphasized although the law does not ignore the issue of ownership. Furthermore, Mr. Rousseau claims that "the basis of the new legislation was the eventual territorial segregation of persons belonging to the various groups, but on a non-discriminatory basis." He admits, however, that "in practice, it was and is inevitable that the white group should find itself best off in comparison with the other groups. But this is mainly the result of circumstances, not of discrimination."¹⁴

The Group Areas Act and other laws also form the basis of what is known as "petty *apartheid*." These are the series of restrictions and prohibitions that make almost any form of social or public contact between the races illegal. In 1973 the government declared that the Group Areas Act's prohibitions on simultaneous occupation of an area by different races extended to any person

who is at any time present in or upon any land or premises in the controlled area or group area, as the case may be, for a substantial period of time or for the purpose of attending any place of public entertainment or partaking of any refreshment as a customer at a place where refreshments are served in a licensed restaurant, refreshment or tea room or eating house where the partaking of refreshments ordinarily involves the use of seating accommodation or as a member of or guest in any club.¹⁵

The Group Areas Act is reinforced by the Reservation of Separate Amenities Act (1953) and the Liquor Act (1977). The first law allows "any person in control of public premises to reserve separate and unequal facilities for different races and abolishes the power of the courts to nullify such actions."¹⁶ This has resulted in segregation of buses, trains, restaurants, libraries, parks, park benches, water fountains, restrooms and beaches. The Liquor Act forbids white establishments with a liquor license from admitting blacks. This prohibition, along with the Group Areas Act, has served to segregate most theaters, hotels, clubs and sporting events of all kinds. It must be noted, however, that in recent years some of the restrictions have been lifted by granting spe-

cial permits to certain establishments, particularly "international" hotels. However, the legislation remains in effect and can be reimposed at the discretion of the government.

Finally, the Group Areas Act, the Native Land Act (1913), and the Native Trust and Land Act (1936) restrict the areas that are open to ownership by non-whites to about 14 percent of the total area of South Africa. Even the black townships surrounding the "white" cities, where some four to five million blacks live, are not open to black ownership. The white municipalities own the land and lease it to the black workers.

In the case of Israel, one does not find many laws that make overt distinctions between the Jewish and non-Jewish citizens aside from the Law of Return and Nationality Law previously mentioned. However, this does not mean that the discrimination against the Arab population of Israel and of the occupied territories is not reflected in Israeli law. Since the Israelis have made themselves a majority inside the land of Palestine by forcibly expelling the larger part of its former Arab inhabitants in 1948 and 1967, they have been able to take a different, more outwardly "benign" approach to the Arab inhabitants than that of the heavily outnumbered whites in South Africa (Arabs comprise 17 percent of Israel's four million people plus another 1.3 million Arabs in the occupied territories, whereas in South Africa the ratio is reversed: 16 percent white, 9 percent colored, 3 percent Asian and 72 percent black).

The discrimination and anti-Arab racism inherent in the Zionist state is not evidenced by the state so much as it is by the policies of such Zionist organizations as the World Zionist Organization (WZO), the Jewish Agency (JA), and the Jewish National Fund (JNF), all of which were granted quasi-governmental status by the state of Israel in the early 1950s. The WZO-JA Status Law (1952) makes the WZO responsible for "settlement projects in the state" and the coordination of "the activities in Israel of Jewish institutions and organizations active in development and settlement of the country," including the JNF which is part of the WZO.¹⁷ In 1954, a "covenant" was signed between the Israeli government and the WZO and the JA which gave the WZO-JA control over the supervision and promotion of Jewish immigration to Israel, as well as the continued Jewish settlement and development of land occupied by Israel in 1948. And in 1960 a "memorandum" between the Israeli government and the JNF was concluded and passed into law by the Knesset as Basic Laws, namely, Israel Lands Law and Israel Lands Administration Law. These laws provided that the owner-

ship and administration of all public (governmental) and JNF-owned land inside Israel be in the hands of a governmental lands administration, while the development of those combined lands was to be in the hands of the JNF. Prime Minister Levi Eshkol put it this way:

Whereas we have transferred the centre of gravity in matters of land ownership and administration to the government, the centre of gravity of afforestation, development, reclamation, and terracing is with the JNF. . . .

Most importantly, the restrictive landholding and leasing policies of the JNF were extended to apply to all "Israel Lands" (i.e., state and JNF-owned lands).¹⁸

This is the crux of the matter. The WZO, JA and JNF all have one thing in common: They are Zionist organizations whose only goal is the advancement of the Zionist project. They have no desire or inclination to aid or even acknowledge the presence of the non-Jewish Arab inhabitants of the state of Israel. And yet these organizations have been granted a quasi-governmental status to the extent that they are "a state within a state," and have control over many public functions which are normally reserved for the government. They control immigration policies and thus grant special economic and financial benefits to new Jewish immigrants. They provide Jewish settlements, cities and villages with financial and technical aid that is denied Arab villages.

The most serious implication of the quasi-governmental status enjoyed by these Zionist organizations is the fact that JNF's restrictive land policies are extended to all public and JNF lands. As Prime Minister Eshkol put it in a Knesset debate on the Israel Lands Law, "The principle established as the basis of the JNF, that land purchased by it is owned by the Jewish people in perpetuity, and shall not be sold forever, will be established as a principle applying to state lands." It should be noted that the JNF has slightly changed its official position on this topic as is shown in a JNF internal memo cited by Uri Davis and Walter Lehn:

Although the object of the JNF will continue to be to assist in the settlement of Jews only . . . the need may arise to lease tracts of land to non-Jews or to an international company; further, should we allow this explicit prohibition to remain, the undesirable impression might be created of so-called racist restrictions. . . . One can assume that even without these explicit prohibitions, the JNF Board of Directors will know how to administer the work of the institution in accordance with the explicit object as specified in the aforementioned clause which remains unchanged.¹⁹

The seriousness of this restriction becomes clearer when one takes into account the fact that 92.6 percent of the total land in Israel is "Israel Lands" (i.e., public or JNF). Thus, the Arab, non-Jewish segment of the population is restricted to less than 7 percent of the land (some of the other private land is owned by Jews who follow the JNF policies). Writing in 1975, Noam Chomsky states that, "Ten settlements were recently fined 700,000 Israeli pounds 'for illegally leasing agricultural land to Arabs.' The Minister of Agriculture warned that 'anyone caught leasing land to Arabs will be punished. . . [and called it] 'a very serious phenomenon which must be fought in every way possible.' The Ministry of Agriculture is reportedly undertaking an 'energetic campaign' to eliminate the 'plague' of leasing land to Arabs."²⁰

The other restrictive JNF policy that covers this 92.6 percent of the land is the prohibition against using non-Jewish labor. For example, a standard clause in JNF leasehold contracts states: "The lessee undertakes to execute all works on the holding. . . only and exclusively with Jewish laborers." In 1974 the minister of agriculture denounced the use of Arab farm laborers as "a cancer," and settlements have been warned of the legal consequences of breaking JNF regulations.²¹ Not only are the Israeli Arabs legally prohibited from working especially in the agricultural field, but in certain other professions as well.

A final example of how the anti-Arab racism of the Zionist state is manifested in an "officially un-official" manner has to do with the provision of financial aid to Israeli families with many children. The National Insurance Law (1952), which originally provided this aid, was repealed when it was discovered that Arab families were benefitting "disproportionately" because of their large families, even though they contributed to the scheme through taxes and insurance. In its place Prime Minister Ben Gurion suggested this duty be turned over to the JA as a way of circumventing the problem of subsidizing unwanted Arab babies. In the end, a "solution" was found in the Discharged Soldiers Law, which restricted the subsidies to soldiers or members of their families only. Thus Arabs, who do not serve in the army, are ineligible in a supposedly "non-discriminatory" way.²²

To summarize, while it can be seen that South Africa practices an open, explicit form of discrimination and racially-based domination, Israel operates a hidden but no less oppressive system. The question of who is a Jew is just as important in Israel as the question of who is a white in South Africa. In both cases the Jews and the whites enjoy a superior political, economic and social status over that of the original inhabitants of the land, the Arabs and the blacks. Any outward

differences in the form this system takes can be attributed to the fact that the Zionists have made themselves a majority in the area of Palestine by forcibly removing the greater part of the Palestinian inhabitants in 1948 (In 1948 Jews comprised 30 percent of the population; in 1982 they were 83 percent). The whites of South Africa are in a totally different situation in that they comprise only 16 percent of the population. They therefore feel that they must take a more firm and open stand against the blacks.

The Means of Control

Both South Africa and Israel use vaguely worded, "catch-all" legislation to enforce their rule over the native peoples. While this legislation officially applies to the entire population of both countries, in reality it is usually against the non-whites and non-Jews. In South Africa, the two major security laws used to repress political or any other anti-regime activity by the black population are the Internal Security Act (1950, amended 1976) and the Terrorism Act (1967). The Internal Security Act was originally promulgated to suppress "Communist" activities, but according to South African legal expert John Dugard, the definition of "Communism" was sufficiently broad to cover all anti-regime and anti-*apartheid* activities, whether peaceful or violent. It includes any doctrine which "aims at bringing about any political, industrial, social or economic change, by violence or forcible means" or by helping "any foreign or international body or institution." Any act to embarrass the administration of the affairs of the State "is considered 'terrorism'" (as well as "sabotage" by the Sabotage Act of 1962).²³

These laws and later amendments give a wide variety of powers to the South African authorities that are intended to keep the black majority quiescent. The police, with the approval of the attorney general, are allowed to detain people suspected of "security" offenses for a 180-day period and even for an indefinite period for certain "crimes."

Another government practice authorized by the Internal Security Act is that of "banning" political activists. A banned person is restricted to a certain magisterial district, prohibited from entering schools, publishing houses, courts and other "dangerous places," prevented from seeing certain specified people, and newspapers and publishers are prohibited from publishing any of the banned person's written or spoken words. As with the detention order, a banning order cannot be legally contested, the police do not have to give a reason for the order, and the courts have no power to supervise or intervene in the order. In

mid-1980 more than 150 persons were under banning orders—mostly black activists.²⁴

Besides cutting off political dissent at the source—by taking the political activists out of circulation—the South African authorities attempt to restrict the dissemination of “radical” ideas through restricting political parties and their rallies, and through censorship of books, journals and newspapers. The South African courts have ruled that statements construed as inciting “racial hostility” are a form of terrorism punishable by a minimum sentence of five years and a maximum sentence of death. Further, in 1979 1,326 books, about half of which were of a political nature, were declared “undesirable” under the Publications Act (1974) and were banned.²⁵ The Prohibition of Political Interference Act (1968) barred racially-mixed political parties, and the Unlawful Organizations Act (1960) makes it possible for the government to ban certain organizations by executive decree not subject to judicial control. A banned organization has its assets seized and its members blacklisted. Moreover, it becomes “a criminal offence for anyone to carry on the activities of the organization or even to pursue objectives similar to those of the banned group.”²⁶ Finally, the Riotous Assemblies Act (1956, amended 1974) provides for control of any gathering, public or private, of two or more persons. It has been selectively enforced to prohibit demonstrations by blacks.

The legislation cited above has been applied to many individuals and organizations considered a threat by the *apartheid* regime. However, the pass laws, as embodied in the misnamed Blacks Abolition of Passes and Coordination of Documents Act (1952), have been rigorously applied to all black persons in South Africa. This act merely changed the name of the document from “pass” book to “reference” book and extended the requirement to African women as well as men. The act requires that every African over the age of sixteen be fingerprinted and carry his/her passbook as an identity card and proof of employment. The pass laws allow the authorities, in theory, to keep track of the entire black population and, more importantly, restrict the movements of blacks from their rural homeland areas to the “white” cities. This keeps the number of unemployed and potentially politically volatile blacks in urban areas under strict government control. It further complicates the work of any black political organization that wishes to organize the urban black workers whose status is so tenuous that they could be sent back to their “homelands” at a moment’s notice.

In Israel the internal security apparatus has at its disposal an imposing array of powers, unrestricted by judicial supervision or review.

These powers originate in the British mandatory government's Defense (Emergency) Regulations (1945) that were later adopted in whole by the new Jewish state—even though these same regulations, when used against members of the pre-1948 Jewish community in Palestine, brought outraged cries from Jewish legal experts, one of whom charged that “even in Nazi Germany there were no such laws. . . .”²⁷ Sabri Jiryis, an Israeli Arab lawyer, has accurately described these regulations as

. . . a typical example of the traditional imperialist attitude in dealing with the native population of a colony. They give the authorities extensive and extremely rigorous powers, and their enforcement can destroy individual freedom and individual rights to property almost completely. They cover every aspect of life, from control over the freedom of speech, movement, and the press to the regulation of the possession of arms, the expropriation of property, and the control of means of transport.²⁸

From 1950 until 1966 the Arab population of Israel was placed under a system of military government. Three military districts, each with its own military governor, were set up in the areas of heavy Arab inhabitation: the Galilee, the “Triangle” on the Jordan border and the Negev in the south. Using the defense regulations, these military governors were able to control every aspect of Arab life inside Israel, in much the same way as the South African authorities attempt to control the life of the blacks. Under Article 111, the military governor could detain “any person named in the order for a period not exceeding one year in any detention camp.” The detention order was renewable without recourse to a civil court. The detainee was not allowed to question his detention, and the authorities were not required to give a reason for the detention.

Using articles 109 and 110 the military authorities could force any person to live in a place designated by the military governor for any length of time or restrict the person to his house while having to report his movements to the police at certain times. A person could also be required to live under police supervision, to report all his movements and be prohibited from moving from one police district to another without written approval. Banishment was used for even minor offenses. Jiryis gives the example of three youths from 'Akka who were sent to Bi'r as-Sab'a for a year for making fun of a portrait of Theodor Herzl in a movie theatre.²⁹

Because they wish to present a “democratic” image, Israeli officials have been more reluctant than South African authorities to ban outright Arab organizations that engage in political activities. However,

through use of the defense regulations they have succeeded in stifling and crushing attempts by Palestinians to establish political organizations that challenge the Zionist nature of the state.

The foremost example of this is the fate of the *al-Ard* movement of the early 1960s. The authorities at first refused *al-Ard* a legal permit to register. When the Israeli Supreme Court ruled in favor of *al-Ard*, the authorities invoked the defense regulations and, by citing "security" as a justification, effectively removed the question from the court's jurisdiction. The members of *al-Ard* were arrested, detained, banished, their publications confiscated and their organization banned.³⁰ Thus, while more subtle in its approach, Israel has been just as successful in crushing organized dissent by the "natives" as South Africa with its more heavy-handed methods.

A more serious aspect of the defense regulations and the military government that controlled Arab areas inside Israel until 1966, and which remain in effect in the occupied territories, is that of the restriction of movement by the Arab inhabitants. Article 125 of the regulations allows

... the military governor the power to proclaim any area or place a forbidden (closed) area . . . which no one can enter or leave without . . . a written permit from the military commander or his deputy . . .³¹

While in theory these regulations could apply to any part of Israel, the selective use of Article 125 shows that they were applied exclusively to the Arab towns and villages. The Arab areas of the Galilee, the Triangle and the Negev were subdivided into closed areas, sometimes no bigger than the confines of one or two villages. Passage across or between these closed areas were strictly forbidden and "trespassers" were severely punished. Military and civilian police could regularly stop traffic on major roads, check Arab identity cards and documents and immediately arrest and jail those Arabs without travel permits to leave their "closed" village. According to Jiryis, "Dozens, sometimes hundreds of Arabs were convicted each month" because of a lack of travel permits from the military governor.³²

As with the South African pass laws, the closed areas restrictions served more than a means of politically controlling the Arab populations. By restricting the movement of Arab workers in and out of their villages, the Israeli government, through the military governors, could and did control the influx of Arab workers into the predominantly Jewish urban labor market. This was of particular importance in the early years of the state when the massive immigration of Jews from other

countries led to high unemployment in the cities. By making it impossible for Arabs to hold permanent jobs outside their villages (permits were only good for a limited period), the authorities effectively eliminated this possible source of labor competition until the economic boom of later years raised the labor demand.

While the situation for Israeli Arabs improved somewhat after the lifting of the military government in 1966, it worsened for those Arab workers from the occupied territories in 1967. In order to prevent the permanent immigration of Palestinians from the West Bank or Gaza, the Israeli authorities prohibit Arab workers who work in Israeli factories from even spending the night inside Israel, thus avoiding the growth of Arab worker housing around Israeli industrial centers, as is the case with black townships around white cities in South Africa. The workers are required to commute for hours each day to and from their work. Many defy the law and sleep in the Israeli factories with the knowledge of the factory owners who lock the workers in from the outside to prevent them from "wandering." More than one case has been reported of Arab workers being burned to death when the factory they were sleeping in caught fire and they were unable to break the locked doors.³³

Both South African and Israeli officials realize the efficacy of coopting native elites among the blacks and Arabs as the most economical method of keeping the indigenous population under control. In South Africa the government's "concessions" towards "self-rule" and political participation are embodied in the Bantu Authorities Act (1950) and the Promotion of Bantu Self-Government Act (1959). Under the first act, the South African authorities have sought to maintain the position of tribal chief for the ten major tribes, while at the same time removing most of their powers and turning the chief into a government functionary. In return for a small salary and the prestige of his position, the chief must maintain law and order among his people, root out "radical" opponents to the *apartheid* regime, and generally carry out the decrees of the white government.³⁴

The Bantustan policy, also known as grand *apartheid* and multinational development, was first given legal life in the Bantu Self-Government Act of 1959. This act removed the blacks' last white representatives in parliament and substituted the tribal homelands as the "logical" place for the blacks to have rights of political expression. Not only was this seen by the Afrikaner politicians as a way of ridding white South Africa of its unwanted black majority, but it would also make the position of the urban black population even more

tenuous.

This idea of "independent" Bantustans was partially realized with the granting of independence to the Transkei in 1976. Under the Status of the Transkei Act (1976) the South African government renounced all authority over the former homeland and declared it "a sovereign and independent state and (it) shall cease to be part of the Republic of South Africa."³⁵ The same procedure was followed with Bophuthatswana in 1977, Venda in 1979, and Ciskei in 1981.

The factor that gives this policy the remote hope of success is the cooperation of willing native elites in the form of the tribal chiefs and associates. A prime example is Chief Kaiser Matanzima, former chief minister and presently president of the Transkei. Although his National Independence Party was overwhelmingly defeated in the first popular elections in the Transkei (1963) by the anti-grand *apartheid* Democratic Party, Matanzima was still made chief minister with the backing of the South African authorities and strengthened his position through flagrant use of public patronage and other official prerogatives.

Due to the tremendous dependence of the Transkei on South African financial aid (on the average the homelands contribute less than 12 percent of their public expenditures),³⁶ Chief Matanzima is placed under direct South African control. Furthermore, the presence of South African economic and political "advisors" in the Transkei government assure that the correct line will be followed. Matanzima has also sought to secure his political position through blatant nepotism. While he serves as president, his brother George has replaced him as prime minister, and other family members have high positions in the security forces and government-related businesses.

In summary, the South African government has sought to rid itself of as many blacks as possible by granting "independence" to tribal homelands, an independence recognized by no other country besides South Africa. Through this process it not only rids itself of the blacks residing in the new "states," but also all of its "citizens" (tribe) who may be living in the black urban townships surrounding the white cities. All of these urban workers are issued passports in the name of their now "independent" homeland and thus lose all claim to political rights inside white South Africa. John Dugard has summed up the policy as follows:

According to the Grand Design of separate development, every African living in the common area will be required to become a citizen of one of the homelands and will therefore become eligible for participation,

albeit at a remote distance, in the political process of that homeland (or independent state). They will then be migrant workers . . . (who) will resemble migrants from Mediterranean countries employed in Northern European countries. This is an exercise in metaphysics rather than practical politics. Many of the Africans living in the common area have no real link with any homeland and, even where such a link exists, they are as likely to be satisfied with the franchise in a homeland political system as would the English-speaking white South African with a vote in Britain.³⁷

Two other related aspects of this separate or multinational development policy is the forced resettlement of blacks in their "ethnic homeland" and the attempt by the South African government to cede black homeland territory to Swaziland. According to the Black Sash, a white women's organization that provides legal counsel to urban blacks, more than three million blacks have been forcibly relocated in the past twenty years, and it predicts that another one million will be moved in the near future.³⁸ These people are being forced out of the white areas, both rural and urban, because they are too old or sick to work any more or they are the families of deceased or unemployed workers or are in the white areas "illegally."

As to the cession plan, South Africa has concluded an agreement with neighboring Swaziland which would cede about 3,000 square miles of the Kwa Zulu and Kangwane homelands which contain about one million blacks. However, this plan has met strong and unified opposition from an informal coalition of the white opposition Progressive Federal Party, Chiefs Gatsha Buthelezi of Kwa Zulu and Enos Mabusza of Kangwane and various black exile political groups.³⁹

From its inception in 1950 until its dissolution in 1966, the military government in the Arab areas of Israel sought to find "loyal" and malleable Arab political figures to run the Arab municipalities, especially Nazareth, the largest Arab city in Israel, and to stand for the Knesset so as to gain the Arab vote for the ruling Mapai Party. To facilitate the latter goal, the Mapai Party and other Zionist parties as well have followed a policy of creating Arab "lists" or parties attached to the Zionist mother party in order to garner some of the Arab vote. The Arab voters find it easier to vote for these supposedly independent Arab lists than for an avowedly Zionist party like Mapai. The Arab parties are given names like "Cooperation and Brotherhood," "Progress and Growth" and "Agriculture and Development."

The candidates of these Arab lists were and are chosen for their representative religious backgrounds and also for their histories of pro-

Zionist activities in the pre-independence period. For example, Seifedden Zu'bi and Jabr Ma'di had both, of their own admission, been intelligence agents for the Zionist underground army, the Haganah. Zu'bi has received the Israeli Freedom Fighter's Medal "for his part in protecting the (Jewish) settlements and organizing defense action in the meadows (surrounding Nazareth) and at the risk of his life, neutralizing armed attacks against Jewish settlements."⁴⁰ He was also a land broker for the Jewish National Fund under the British Mandate, buying his Arab neighbors' land in order to turn it over to the JNF so it could become "inalienable property of the Jewish people forever."

The military government functioned as an arm of the ruling Mapai Party, at the expense of the other Zionist parties and of any truly independent Arab party. As Jiryis has noted:

Indeed, the military government was ideally placed for this task, given its direct involvement in the lives of the Arabs, and it scored a remarkable success. In every Knesset election it managed to produce four or five Arab members tied to Mapai and completely controlled by the military system. It also had the means necessary to guarantee Arab votes for the candidates of the ruling party. It could entice the voters with promises of travel permits, with support for the appointment of relatives, and with help in obtaining trade licenses or loans, or by renting out pieces of the "public lands" or absentee property, etc. And it could, where necessary, threaten punishment, such as the withdrawal of travel permits or the imposition of house arrest, banishment, or internment.⁴¹

These methods were used not only in the Knesset elections, but also in the Arab village councils and in any political activity undertaken by the Israeli Arabs.

This political activity by the military government on behalf of the Mapai Party led the other parties, including Mapam, its coalition partner, to demand the dissolution of the military government in Arab areas. However, by the time the military government was lifted in 1966, a new "secret" government geared especially to the monitoring and control of the Arab population had been put in place. According to Knesset member Uri Avneri:

A complete government . . . was created in the Arab sector, a secret government, unsanctioned by law . . . whose members and methods are not known . . . to anyone. Its agents are scattered among the ministries of government, from the Israel Lands Administration to the ministry of education and the minister of regions . . . It makes fateful decisions affecting [Arab] lives in unknown places without documents and communicates them in secret conversations or over the telephone. This is the way deci-

sions are made about who goes to the teachers' post, or who will receive financial subsidies, or who will be elected to the Knesset, or who will be elected to the local council—if there is one—and so on for a thousand and one decisions.⁴²

Shmuel Toledano, advisor on Arab affairs to the Israeli prime minister in the late 1960s, summarized the policy by stating that, "The government intends to adopt a policy of reward and punishment. . . . From now onwards, the government departments, with the help of various public agencies, will give every kind of support and assistance, both individual and general, to the positive elements. At the same time, we shall fight every nationalist agitator, directly and indirectly, until he is destroyed."⁴³ Using the same system of granting or withholding loans, government positions and privileges and the judicious use of the defense regulations, this new "secret" government has been just as successful but less visible as the old government in controlling the Israeli Arab population.

In its occupation of the West Bank and Gaza Strip the Israeli military government originally followed a policy similar to that of the former military government in the Arab regions of Israel. That is, by working through the traditional Arab leadership of the city mayors, village *mukhtars* (elders), and patriarchs of *hamulaat* (extended families) and the religious sheikhs, the Israelis succeeded in maintaining the status quo and restricted the activities of younger "radicals." In 1976, however, the military government broadened the voting franchise to younger persons and extended it to women. The result was an overwhelming victory for a younger, more activist generation of mayors in the major cities and a discrediting of the older traditional leaders who had been just as willing to accommodate themselves to the Israeli occupation as they had been to the Jordanian rule from 1948-67.

With the coming to power of the right-wing Likud Party in Israel in 1977, the military government began actively to seek ways of undermining the nationalist Arab mayors in the occupied territories and return to the old, "safe" traditional leaders. However, the authorities soon realized that more politically sophisticated urban masses were no longer susceptible to this policy, and so they turned their attention to the more conservative rural population that lives in the villages and comprises about 60 percent of the total population of the West Bank.

The new policy began to take form when the first of the "Village Leagues," as they are called, was set up in 1978. Under the leadership of Mustafa Dudeen, a former agent of the Egyptian intelligence's Palestinian Affairs Department (1945-65) and minister of social welfare in

Jordanian Prime Minister Wasfi Tel's government (1969-70), the first league was established in the Hebron district with strong financial and military backing from the occupation authorities. Other leagues have been created in Ramallah, Bethlehem and in the Nablus district. While working very closely with, if not directly under the control of, the military government, these leagues have attempted to gain popularity and acceptance among the rural Palestinian population by providing services and development projects that the more nationalistic municipalities are legally forbidden to provide (the villages being outside the cities' jurisdictional boundaries).

A typical example of how the leagues have been formed and expanded is provided by the case of the Ramallah League, formed in 1981. Before the league began its operations, all the *mukhtars*, or village headmen, were summoned to the military governor's headquarters in Bayt El and informed that in the future all requests for approval of projects such as building schools, water hookup or electrical power plants would have to be processed through the Village League before they would be considered by the military government. Any *mukhtar* who failed to cooperate with the league would lose his official stamp (used to notarize papers and which is the symbol of the *mukhtar's* position). Later, *mukhtars* and sheikhs who continued to reject working through the league were called in to the headquarters for individual interrogation and "persuasion."

Attempting to use the "carrot" as well as the "stick," Yusuf al-Khatib, the leader of the Ramallah League until his assassination in late 1981, received about forty million Israeli shekels to start projects in "friendly" villages. Due to the intermittent cutoff of the West Bank from Arab funds from Jordan, the league is in a strong position to force even nationalistic villages into accepting their projects. The league also seeks to play on the feelings of resentment among some rural villagers against the municipalities, which are seen as having been more generously funded in the past by outside Arab sources. The occupation authorities have even tried to force American charitable societies that work in the occupied territories and which are funded by the US Agency for International Development to work only through the Village Leagues, so far with little success.

Other forms of government-league cooperation are the appointment of league supporters to village councils and *mukhtar* positions and the denial of services to anti-league villagers. For example, all thirteen members of the Bayt Awwa village council in the Hebron district appointed by the military government were followers of Dudeen. Even

though the villagers united in their rejection of the council, it was forced on them by the military governor. *Al-Fajr*, an openly pro-PLO newspaper published in East Jerusalem, and other Arabic newspapers have waged a continuous campaign to expose the Village Leagues. In a series of articles *Al-Fajr* detailed the forms of coercion used by the leagues:

Identity card renewals, summer visit permits, community projects, exit visas, *haj* pilgrimages, government employment—all must be processed through the league building. Family reunions, 15 at a time, are announced from time to time on Israeli TV as accepted with the strong recommendation of Mustafa Dudeen. Likewise, Hebron area residents can find themselves demoted or out of a job if they oppose Dudeen's empire too loudly. Four teachers have been transferred to other schools after they registered their opposition to the league.⁴⁴

Although the league leaders originally denied that they were attempting to play any political role or trying to replace the nationalistic pro-PLO leadership in the occupied territories, recent reports suggest otherwise. Following the invasion of Lebanon in 1982, and the subsequent withdrawal of the PLO from Beirut, the Israeli government has loudly proclaimed that this is the opportunity for the "silenced majority" of the Palestinians of the West Bank and Gaza Strip to come forward and negotiate for the autonomy of these areas under the Israeli interpretation of the Camp David Accords. They hope that with the "discrediting" of the PLO in Lebanon, the inhabitants will not be intimidated by PLO "terrorism" and so feel more free to talk with the Israelis. And if for some reason the acknowledged popular leadership in these areas continues to refuse to deal with the Israelis on their terms, they then have their own ready-made Palestinian leadership, in the form of the Village Leagues, with which to deal.

Recent reports indicate that the Israeli authorities are pushing the now-eight leagues to form a central "steering conference," of which Dudeen is most likely to be the chairman. According to Trudy Rubin of the *Christian Science Monitor*, "This would form an approximation of the administrative council envisioned under the Camp David formula for West Bank autonomy."⁴⁵ To enforce local acceptance of the leagues' legitimacy, supporters of the leagues have been armed by the military authorities and the leagues' leadership provided with Israeli military protection. These armed league supporters have carried out several attacks on league opponents; the most serious incident involved the machine-gunning of several classrooms of the Bethlehem University. More ominously, prior to his late 1982 trip to the United

States, Israeli Defense Minister Ariel Sharon met with a group of Village League leaders on the topic of opening "negotiations" on the autonomy topic. In Sharon's view, following the removal of the PLO from Lebanon, a new era of "peaceful coexistence" between Israel and the occupied territories had been opened by the removal of this "main obstacle to future peace" (i.e., the PLO).⁴⁶

Give their shared legacy of colonial-settler origins, a striking similarity in their religious-historical myths and justifications, and in their racist, exclusivist attitudes towards the black and Arab peoples whom they dominate, it should not be particularly surprising that the white Afrikaners of South Africa and the Jewish Zionists of Israel come up with such similar laws, institutions and policies towards their "native" populations. Judging by what has happened in the past and is currently unfolding in South Africa and Israel, both dominant societies appear to be planning futures for themselves which will be parallel in form.

In South Africa Prime Minister P.W. Botha proposed in 1982 a "major" change in the way South Africa should be governed. He wishes, for example, to replace the present political system of a prime minister responsible to an all-white parliament with a French-style, strong president who would be able to appoint some colored and Asian cabinet members from the to-be-created segregated chambers of a new parliament, one chamber each for the whites, coloreds and Asians, under a president who would always be white and Afrikaner. Each of the chambers would be responsible for the affairs of that community, with topics of common interest, defense and foreign affairs, to be jointly decided, although the loudest voice and veto power would rest with the white chamber and the president.

Some political analysts have hailed this as a major breakthrough on the *apartheid* front. Others, however, have seen this attempt at reform of *apartheid*, in combination with the massive resettlement of blacks and the plan to cede South African territory containing more than another one million blacks, as less a reform of *apartheid* and more of an effort to coopt the smaller colored and Asian populations (9 percent and 3 percent of the total population, whites making up another 15-16 percent). At the same time this "reform" would continue to exclude the black population from power, although blacks comprise about twenty four out of thirty one million people (1986 figures).

Thus, it would be safe to say that Prime Minister Botha and his "moderate" followers would picture South Africa's future as the following: First, the colored and Asian groups would accept an increased

but still decidedly second-class status inside the white-dominated central government. While being able to take advantage of the "security" of adding their numbers to that of the white minority, the prospect of a real power-sharing arrangement would be avoided through a plan of "controlled" and limited freedoms. Second, white South Africans would continue to rid themselves of as many blacks as possible, if not through granting independence to the homelands, then through other schemes such as the ceding of territory to Swaziland (along with the black population). In the meantime, black radicals would be kept under control by stringent enforcement of the security laws and the pass and influx control laws which keep down the number of "unwanted" (i.e., unemployable) blacks in the urban areas. Third, the white population—right-wing and moderate Afrikaners and the English-speaking as well—would stick together, knowing that their continued privileged position depends on a unity of purpose.

In Israel the future seems less certain, although in the short run more secure, given the majority position of the Jewish Zionists and the overwhelming military superiority of the Israeli military forces. Judging from what former Prime Minister Menachem Begin and other Israeli officials have said on the subject of autonomy, they seem to envision a kind of Bantustan status for the West Bank and Gaza Strip. While willing to grant "full" autonomy to the *inhabitants* of the occupied lands (i.e., the Arabs), they would continue to refuse even to consider an end to Israeli control over the *land* and *natural resources* of the area. Thus the Palestinians, in Begin's view, can be placated by the granting of limited administrative powers in a council composed of Israeli-picked Arab leaders, most likely, the Village League people. This continued denial of full political rights to Palestinians would be justified by the long-expressed Zionist idea that Jordan is Palestine, and if the Palestinian inhabitants of "Judea and Samaria" wish to exercise full rights, than they should do so only in their state—Jordan. In the meantime, the Arab workers of the territories will still be available to Israel's farms and construction industries, fully supplied with cheap labor. Further, the territories will be open for continued colonization by Jews, hopefully from America and Russia and, to a large degree, underwritten by American aid.

What will be the fate of these schemes advanced by Afrikaners and Zionists to ensure permanent domination? Initial response by coloreds and Asians in South Africa to Botha's proposals has been lukewarm to say the least. Most feel that it would be the height of stupidity to jump on a bandwagon that appears to be hurtling without brakes down

a mountain. Also, the proposals, while seen as inadequate by the the non-white populations, are viewed with alarm by right-wing Afrikaners and has resulted in the defection of this group from the Nationalist Party. And finally, black opposition groups are joining with the white opposition party in Parliament to oppose the cession plan. If this alliance holds, it could mark a significant breakthrough in white-black relations in South Africa. In any case, it is obvious that there is no white consensus on the continuation of white domination.

Israel, however, is a different matter. Having made themselves a majority in the land of Palestine, the Zionists feel more secure than the whites of South Africa. While internationally isolated, the Israelis still have the unswerving support of the United States, something South Africa lacks. Their dominant military position in the region allows them to impose their will on their neighbors, as was witnessed in Lebanon. With their most powerful enemy, Egypt, neutralized by the America-mediated peace treaty and the demilitarization of the Sinai Peninsula, there is no conceivable combination of Arab states that can or would have the will to confront Israel militarily. This is what General Sharon means when he talks of "redrawing the Middle East" and the opening of a "new era" in Middle East politics. The Israelis do not have to make an open decision on the future of the occupied lands. At present, they have already tied the territories to Israel economically, by means of water and electrical grid, the road system, the Arab "guest" workers in Israel and the settlements. Politically, they will put forward the puppets of the Village Leagues as the "true moderate" leadership of the Palestinians, and leave the weighty matters of garbage collection, etc. to their jurisdiction.

What remains to be seen is the American position on these two issues, more so in the case of Israel because of its potential influence over its dependent client state. With the presentation of the Reagan Plan the United States has staked out a strong position against continued Jewish colonization of the territories and ruled out outright annexation of those lands by Israel. However, it remains to be seen whether the Reagan Administration or any future administration is willing to invest the time and political capital to push through its plan in the face of massive opposition from Israel and its domestic Zionist supporters.

NOTES

1. From the *Official Yearbook of the Republic of South Africa*, cited in Marianne Cornevin, *Apartheid: Power and Historical Falsification* (Paris: UNESCO, 1980), pp. 62-64.
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3. See Menachem Begin, *The Revolt* (Los Angeles: Nash, 1972), for an excellent example of this argument.
4. Cornevin, pp. 78-79.
5. Sayigh, p. 60.
6. Richard P. Stevens and A.W. Elmessiri, *Israel and South Africa: The Progression of a Relationship* (New York: New World Press, 1976), p. 17.
7. A.W. Elmessiri, *The Land of Promise: A Critique of Political Zionism* (New Brunswick: North American Press, 1977), p. 100.
8. The Report of the Study Commission on US Policy Toward Southern Africa, *South Africa: Time Running Out* (Berkeley: University of California Press, 1981), p. 48. (Hereafter cited as *South Africa: Time Running Out*).
9. *Ibid.*, pp. 48-49.
10. Sami Hadawi, "Israel and the Arab Minority," Arab Information Center Paper No. 7 (New York: The Arab League, 1959). An estimated 60-70,000 Arab Muslims and Christians born in Israel and now living there have been denied citizenship because they could not pass these conditions. See Elmessiri, p. 149.
11. Georges R. Tamarin, *The Israeli Dilemma: Essay on a Welfare State* (Rotterdam: Rotterdam University Press, 1973), pp. 34-5.
12. *South Africa: Time Running Out*, p. 49.
13. *Ibid.*, p. 58.
14. *Ibid.* Indeed, practice does agree with Mr. Rousseau. By 1979 only 2,234 whites had been relocated as opposed to 74,909 colored families and 35,113 Indians. Few blacks are directly affected by these relocations because they have been prohibited from permanently living in the urban areas.
15. *Ibid.*
16. *Ibid.*, p. 62.
17. Uri Davis and Walter Lehn, "And the Fund Still Lives," *Journal of Palestine Studies*, vol. VII, no. 4, Summer 1978), pp. 6-7. Any documents quoted in this section, unless footnoted otherwise, are taken from this excellent article.
18. Davis and Lehn, p. 19.
19. *Ibid.*, p. 9.
20. Quoted in Elia T. Zureik, *The Palestinians in Israel: A Study in Internal Colonialism* (London: Routledge and Kegan Paul, 1979), p. 118-8.
21. Davis and Lehn, p. 22, note 47.
22. Elmessiri, p. 161.
23. *South Africa: Time Running Out*, pp. 68-69.
24. *Ibid.*, p. 70.
25. *Ibid.*, p. 71.
26. *Ibid.*, p. 73. Bishop Desmond Tutu's South African Council of Churches is in constant danger of being banned by the Botha government for its strong anti-apartheid position.
27. Sabri Jiryis, *The Arabs of Israel* (New York: Monthly Review Press, 1976), p. 12. This section is largely based on this book.
28. *Ibid.*, p. 16.
29. *Ibid.*, p. 29.
30. Zureik, p. 172-175.

31. Jiryis, p. 17.
32. *Ibid.*, p. 28.
33. Report of the National Lawyers Guild 1977 Middle East Delegation, *Treatment of Palestinians in Israeli-Occupied West Bank and Gaza* (New York: National Lawyers Guild, 1978), p. 38.
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