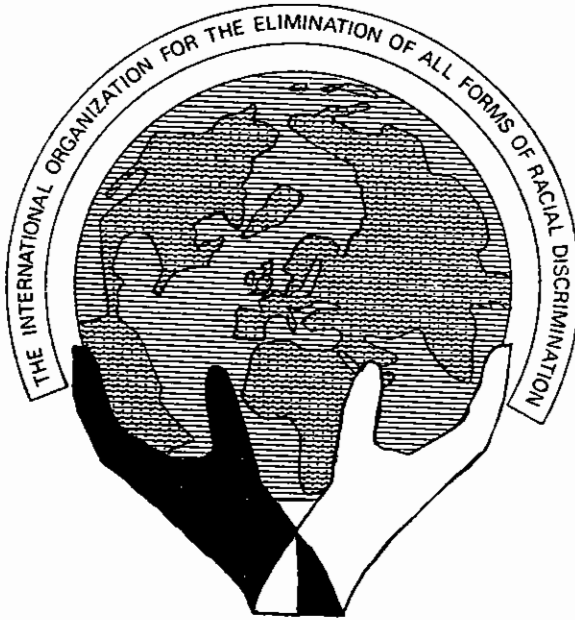


**THE INTERNATIONAL ORGANISATION
FOR THE ELIMINATION OF ALL FORMS OF
RACIAL DISCRIMINATION
(EAFORD)**



**ZIONISM AND APARTHEID:
THE NEGATION OF HUMAN RIGHTS**
by
Alfred T. Moleah Ph.D

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

ZIONISM AND APARTHEID: THE NEGATION OF HUMAN RIGHTS

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The issue of human rights is basic to human existence. All the elements that describe man's eternal struggle can be reduced to the issue of human rights. The most basic and, therefore, the most fundamental of human rights is the right to self-determination. The right to self-determination is the necessary precondition for the attainment of all other human rights because all other human rights are attainable and derive meaning only within the context of a sovereign peoplehood with its own territorial base or state. Therefore, denial of the right to self-determination, with its attendant subjection to alien and discriminatory rule, is the most fundamental violation of human rights. This denial is, unfortunately, the lot of Palestinians and Africans in South Africa.

Central to this human tragedy is racism embodied in the ideologies of Zionism and Apartheid. Israel, as a Zionist entity, and South Africa, as an Apartheid entity, constitute the most complete denial and negation of the human rights of their subject peoples. The Zionist entity and the Apartheid entity are an idea – an idea that has become a material force. They are an idea that is racist, an idea that is anti-human, an idea that is the total negation of the humanity of its victims so that the question of their human rights hardly arises. This constitutes not only a tragedy to the victim peoples, but also constitutes a danger to the world at large and to all humanity, whose only antecedent was the danger posed by Hitlerite Nazism.

The tragedy of the Palestinians and that of Africans in South Africa is the same, but with a difference in manifestation and, therefore, also in world perception. Apartheid is clearly racist in its postulates and premises; whereas, Zionism has no such clear racist postulates and premises. The problem with the perception of Zionist racism is due, first, to adroit dissimulation and obfuscation of its true nature and ends and, second, to the awesome power and influence of Zionism. Zionism has, through skilful manipulation, managed to parlay the tragedy of Jews, particularly the holocaust, into a position of unassailability and immunity for its world-view.

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Consequently, the world knows the Palestinians through the Zionists, even more tragically, any other differing information is received through a Zionist filter – a result of unprecedented and unparalleled world brain-washing.

To overcome this blockage, it might be useful to arrive at a true understanding of Zionism through its Apartheid analogue, i.e. examine whether there are any similarities, if not identity, between the two. This, of course, cannot be fruitfully done by merely examining theoretical postulates, it has to go beyond that to be fruitful, and examine the situation on the ground, i.e. pose the question of whether there are any similarities, or even an identity, between Palestinian treatment and condition under Zionism and that of the Africans under Apartheid.

Apartheid

In South Africa, racial discrimination has official Statutory sanction thereby making it legal to discriminate and illegal not to discriminate. Apartheid literally means separateness of the races or racial segregation to ensure racial discrimination. Apartheid is a logical consequence of white settler colonialism which was initiated by the Dutch East India Company in 1652. The white settlers sent out by the Dutch East India Company were the first whites to settle in the Southern tip of Africa. These Dutch settlers were later augmented by German and Huguenot (French) settlers, and together, they came to constitute a white tribe which developed its own identity of language and culture, and appropriated the identity of the land by calling itself the Afrikaners, i.e. Africans in Dutch. African possessions and land were expropriated through unequal exchanges, chicanery and force. To rationalize and justify this wholesale plunder and dehumanization, the ideology of Apartheid was incrementally developed. Apartheid, as an ideology, postulates the inherent superiority of whites by reason of their Christianity and Western European culture. Since others could also acquire Christianity and even Western European culture, this difficulty was obviated by simply declaring a white skin to be coterminous with Christianity and Western European culture. The equation of a white skin with Christian/Western European civilization was made possible, in fact made inevitable, by Calvinism to which the white settlers adhered.

The tenets of the orthodox Calvinism of the settlers were in the main “a belief in the sovereign God, sole creator and ruler through his Providence of the universe; the inborn sinfulness of both man and the world as a result of the Fall; the election by predestination of the few through grace to glorify God in building his kingdom on earth; and the damnation of the rest of mankind, also to the glory of God.”¹ Another significant characteristic of Calvinism is the central place it gives to the Bible. This induces “a thoroughgoing fundamentalism, a literal interpretation of the Bible, not only as the revealed Word but also as the final source of all knowledge.”² These tenets have social implications that inexorably led to Apartheid in the

South African context.

First, the two-class distinction between the elect and the damned gave to the elect a special responsibility to implement the will of God in the world and as such, a right to rule.³ Second, in situations where Calvinists were confronted with a large population of different cultural background and different physical attributes, defined as less civilized, there was a strong tendency to categorize these people as belonging to the non-elect.⁴ The dichotomy referred to individuals but in the South African context it was transmuted into racial categories, whereby all whites belonged to the elect and all Africans and non-whites belonged to the damned. Third, a fundamentalist and literal acceptance of the Bible resulted in the Afrikaners definition of their situation, their conceptions of themselves, of others, and of the world being derived from the symbolism and mythology of the Bible, especially the Old Testament.

The meaning of their being in the new land found expression in the symbols of the Chosen People, the Promised Land, the Children of Ham and the Philistines. They were called and led by Jehovah, their King, Ruler, and Judge, to glorify him by establishing his kingdom on the dark continent among the heathen. The Calvinists doctrines of predestination and election provided justification of their position as defined by these constitutive symbols.⁵

Fourth, the Afrikaner/Calvinist conception of God as sovereign and intensely active, busy at every turning point in the affairs of nations and men, allows them to shirk responsibility for their acts. All is pre-ordained and they are mere agents of a Divine will. This has pernicious and dangerous possibilities.

Afrikaners see themselves as faithful to their faith in promulgating and upholding Apartheid. The authority of the Bible is constantly invoked, such as Psalm 105 which tells them that "He brought forth his people with joy, and his chosen with gladness: and gave them the lands of the heathen; and they inherited the labour of the people", to justify African expropriation. Segregation and discrimination find their justification in the advice given to the Corinthians which read: "Be ye not unequally yoked together with the unbelievers: for what fellowship hath righteousness with unrighteousness? Wherefore come out from among them and be ye separate, saith the Lord, and touch not the unclean thing and I will receive you."⁶

Within the realities of South Africa, skin colour increasingly became the index and with time, the only index. D. F. Malan, who became Prime Minister when the Afrikaner Nationalist Party came to power in 1948 and, therefore, the principal helms-man of Apartheid, brought out the meaning and significance of colour thusly:

Difference in colour indicates a simple but highly significant fact, i.e.

that Whites and Non-whites are not of the same kind. They are different . . . The difference in colour is merely the physical manifestation of the contrast between two irreconcilable ways of life, between barbarism and civilization, between heathenism and Christianity, and finally between overwhelming numerical odds on the one hand and insignificant numbers on the other.⁷

Malan, who was also a minister of the Dutch Reformed Church – the spiritual guide of Afrikanerdom, was in full accord with the teachings of the Afrikaner Church on this score. Similar views are expressed in a report, *Human Relations in South Africa*, adopted by the General Synod of the Dutch Reformed Church (1966). The report stated, among others, that:

God created everything including the different races, peoples and nations on the earth. Had He wished to create all men the same He would have done so . . . God mercifully decreed that man should have many languages and that he should be diversified and spread to all parts of the earth. This resulted in the formation of many different races, peoples, languages and nations. This can be seen from His anger at the sinful attempt at unity, manifest in the attempted construction of the Tower of Babel.⁸

Afrikaners see themselves, Apartheid, their state as well as all their acts as all a part of the fulfillment of a Divine scheme. To them, God is the architect of all history, and imbues it with ultimate meaning. The Afrikaners' settlement in South Africa was divinely ordained and their history of survival and triumph a miracle. D. F. Malan spoke for Afrikanerdom when he observed:

Our history is the greatest masterpiece of the centuries. We hold this nationhood as our due for it was given us by the Architect of the Universe. His aim was the formation of a new nation among the nations of the world . . . The last hundred years have witnessed a miracle behind which must lie a divine plan. Indeed, the history of the Afrikaner reveals a will and a determination which makes one feel that Afrikanerdom is not the work of men but the creation of God.⁹

and further elaborated on this theme:

It is through the will of God that the Afrikaner People exists at all. In his wisdom He determined that on the southern point of Africa, the dark continent, a People should be born who would be the bearer of Christian culture and civilization. In His wisdom He surrounded this People by great dangers. He sent the People down upon unfruitful soil so that they had to toil and sweat to exist upon the soil. From time to time he visited them with droughts and other plagues.

But this was only one of the problems. God also willed that the

Afrikaans People should be continually threatened by other Peoples. There was the ferocious barbarian who resisted the intruding Christian civilization and caused the Afrikaner's blood to flow in streams. There were times when as a result of this the Afrikaner was deeply despairing, but God at the same time prevented the swamping of the young Afrikaner People in the sea of barbarianism.¹⁰

This, in sum, is the ideological foundation of Apartheid. In the name of their Calvinist God are crimes against Africans daily committed and this is the rationalization and justification for the gross and blatant violations of human rights that Apartheid has come to represent. This is what justifies white privilege and explains away African dispossession, exploitation, repression and discrimination. Laws have been passed to accord with this Divine scheme and to fulfill this Divine plan. To maintain and jealously protect the purity of Elect of God, there is the Population Registration Act of 1950 which, with absurd meticulousness, classifies each person into the racial pigeon-hole of white, coloured,* Asian† and black. This Act, undaunted by the failure of the geneticist and the anthropologist to compile a complete and perfect grouping of people along racial lines, has constructed a racial classification scheme based on the criteria of descent, appearance and general acceptance.¹¹ In spite of this serious difficulty, this Act remains the cornerstone of the whole system of Apartheid. Further guarantees of white purity are offered by the Immorality Act of 1927, which prohibits any carnal intercourse outside marriage between Europeans (whites) and Africans. In 1950, an Amendment to this Act extended this prohibition to all classes of non-Europeans, namely, Africans, Asians and Coloureds.¹² There is also the Prohibition of Mix Marriages Act of 1949, which forbids marriage of a European and a non-European and provides that any union entered into in contravention of this law "shall be void and of no effect."

Territorial segregation of whites from non-whites is effected through a legal fiction which accommodates the ruthless exploitation of African labour and dispossesses them of their land and possessions to ensure their helotry. The Bantu* Land Act of 1913 and the Bantu Trust and Land Act of 1936 together set aside some thirteen per cent of the total area of South Africa for the exclusive occupation of Africans. The 1913 Act demarcated certain areas, known as "reserves"† for Africans and forbade the transfer to, or lease of land by, other races within these reserves. At the same time, Africans were prohibited from acquiring land elsewhere.¹³ As of late, under the Bantustan scheme, these are also areas within which Africans will be able to exercise sovereignty and reclaim their rights of citizenship. Conversely, eighty seven per cent of South Africa (with the best land, mineral resources and all major urban and industrial centers) is designated "white South Africa". So, officially all Africans in "white South Africa"

are temporary sojourners, there only to sell their labour in accordance with its needs and requirements. There were already Africans in "white South Africa" (about 50% of the African population) whose presence could not be simply wished away. The Group Areas Act with its latest amendment of 1966 was brought in to solve this problem – its cumulative effect is to deny Africans all citizenship rights in "white South Africa" and to carefully regulate their presence on a racially segregated basis. Africans are, therefore, migrant labourers in eighty seven per cent of their country with no rights; in fact, no basis to have rights since they are officially foreigners. It is from this anomaly that all their disadvantages and disabilities derive.

As should be expected, South Africa has many laws aimed at curbing or nullifying any political activity on the part of blacks. Of these, the most important and most notorious are: The "90-day detention law" (section 17 of the General Law Amendment Act, 37 of 1963). This empowered a senior police officer to arrest without warrant and detain any person whom he suspected upon reasonable grounds of having committed or having information about the commission of the crime of sabotage or offences under the Suppression of Communism Act or the Unlawful Organizations Act. A detainee was held for the purpose of interrogation until he had, in the opinion of the Commissioner of the South African Police, replied satisfactorily to all questions or for "ninety days on any particular occasion."¹⁴ This ninety day detention period was renewable. This Act was withdrawn in 1965 and replaced with a 180-day detention law. In 1976, the 180-day detention provision was transferred from the Criminal Procedure Act to the Internal Security Act in respect of political crimes. This 180-day law has been superceded by the Terrorism Act of 1967 which permits indefinite detention without trial of political suspects. The 1965 amendment to the Criminal Procedure Act added a new provision dealing with bail which seriously undermined the power of the judiciary to release an accused person on bail. Until 1961, this power was essentially a judicial one, but in that year, the attorney-general was empowered to refuse bail for twelve days after arrest in all cases where he considered that public safety was threatened. In 1965, the Criminal Procedure Act was amended to permit denial of bail without a time limit until sentence or discharge. In 1967, there was the Terrorism Act whose Section 6, introduced indefinite detention in solitary confinement. In 1976, the Internal Security Amendment Act made sweeping changes to the Suppression of Communism Act of 1950, and renamed this law the Internal Security Act. Section 10 of the Internal Security Act now empowers the Minister of Justice to order the detention in prison of any person "if he is satisfied" that such person "engages in activities which endanger or are calculated to endanger the security of the State or the maintenance of public order."¹⁵

There are many other laws which complement those stated to ensure complete racial segregation and discrimination, African helotry and the

eternal denial of their right to self-determination. Untold misery results from this policy but whites in South Africa, buttressed by their rectitude and righteousness, remain undaunted and undeterred. There is a higher calling which exempts them from normal human compunction and accountability. They are answerable only to God.

Zionism

Zionism presents a much more difficult scenario because it lacks the candor and forthrightness of Apartheid. Indicative of the problem is a qualification that needs to be made from the onset, i.e. we are here referring exclusively to political Zionism and not to its religious or cultural variants. This problem is compounded by the skilful manipulation of the religious and cultural variants by political Zionists. This skilful manipulation even succeeds to confuse Jews, not to mention the utter confusion, if not bewilderment, of non-Jews. To unravel this sedulously cultivated confusion let us turn to the elucidation of Rabbi Berger:

Undeniably, 'Zion' (and not necessarily Zionism) is one of the *sancta* of traditional or orthodox Judaism. This Zion, in its authentic, orthodox meaning, is a theological – not a political/nationalistic – concept. In God's wisdom, when 'the people' morally merited it, God would usher in the millenium by sending the messiah to lead 'the children of Israel' back to Zion. Distilling this 'future hope' out of a correct interpretation of relevant Old Testament texts, these orthodox Jews understood the ancient Israelites and Judeans lost the Holy Land because they had sinned. They had gone 'whoring' after other gods and engaged in a long list of injustices towards fellow humans. Judaism is a 'covenant' religion. The covenant changed from age to age, but it was always a contract between 'the people' and God. God 'promised' them the land and would prosper them in it if 'the people' rigorously fulfilled the precise moral and ethical stipulations of the covenant as it was interpreted by 'God's prophets' in any particular age. Micah spoke for all the prophets when he warned (III: 9-10:12) 'Zion will be plowed' and 'Jerusalem shall become a heap' because the people 'abhor justice and pervert all equity'. Only God – not men or any combination of men – could make the judgement of whether or not the conduct of the people had reached the point of moral excellence to repair the covenant and so clear the way for God to restore them to the land.

Interpreted in this accurate sense, not even the enormous tragedy of the holocaust could authenticate 'the return'. The Zionist exploitation of the tragedy perpetrated by Nazism is a better-than-average expedient to explain the establishment of the Zionist state. But it is a human explanation, not the fulfillment of Divine purpose. And the established state is anything but 'a house of prayer for all people'. (Isaiah LXVI:7.)

It is crucial to recognise that the decisive, definite factor distinguish-

ing this religious/messianic Zionism from the political/territorial Zionism which built the Israeli state is the austere, stringent morality which is embraced in the unquestionable authority of God. God – not men – will determine the time and appoint the leader for ‘the return’ as it is conceived as a sacrament for some Jews.¹⁶

Another element of Judaism, which has been skillfully manipulated by Zionists, is the idea of chosen-ness. Jewish religious tradition has a rich vocabulary referring the Jewish people variously as the Chosen People, the Holy People, the Spiritual People – a people set apart from the rest of mankind by having a special relationship with a transcendent God. This derives from the Bible which, as a Holy Book, is linked in a supernatural way with the people of Israel who produced it, and with the land of Israel which nurtured it.¹⁷

Political Zionism, which claims to be a nationalist movement, masquerades in religious garb. It freely misuses names and symbols sacred to Judaism. A prime example is the name Israel for the Zionist state. The Zionist land-acquisition fund’s name in Hebrew is *Keren Kayemeth Leisrael* and *Keren Kayemeth*, meaning permanent fund or lasting reward, is taken from the Jewish daily morning prayers. Even more cynically, this term traditionally implies the reward for piety, good deeds, and charitable work. The state symbol of Israel is the *menorah* (candelabrum). This is extremely cynical. The Israeli army fights under an emblem that means “not with armed force and not with power, but in My spirit says the Lord of Hosts.”¹⁸ Even the special relation of God and children of Israel, so abundant in the Old Testament, has been cynically transmuted. The idea of chosen-ness as regards Jewish People in Judaism is a religious one signifying a community of true believers who put faith in One True God, and whose membership in that community is conditional on their obeying God’s commands. Zionist leaders reject this, except in its totally prostituted form. For instance, Micah Berdichevsky, the Russian Zionist writer, declared emphatically that the Jews should “cease to be Jews by virtue of an abstract Judaism and become Jews in their own right, as a living and developing nationality”.¹⁹ Max Nordau, the Zionist leader and close friend of Herzl, declared that “we do not want to be a mere religious community; we want to be a nation like all other nations.”²⁰ But these same Zionist leaders had no qualms, whatsoever, of investing a secular phenomenon with a religious idiom. The sanctity attached to the Jewish people in the religious sense is transferred to the Jewish people in the ethnic sense and, accordingly, to the people’s history, to their land and finally and more importantly, to their state. A Jew, therefore, can only attest to his/her Jewishness by being a nationalist, i.e. an unwavering and uncritical supporter of the State of Israel. The Lord and the Volk have become identical.

This Zionist transmutation of religion into the political has rightly invited

rebuke and even attacks from representatives of religious Judaism because it leads to the worship of the state or the worship of collective human power. It has led to a religio-national pantheism which made it possible for Vladimir Jabotinsky, the mentor of Menachem Begin, to speak of himself as "one of the masons building a new temple for my God – whose name is Jewish People."²¹ And for General Ariel Sharon to declare "the first and the most supreme value is the good of the State. The State is the supreme value."²² And for the substitution of the state for God as in the case of Rabbi Isaac Kook, who described nationalism or religion "as merely elements of the spirit of Israel" and stated that "a Jewish nationalist, no matter how secularist his intention may be, must despite himself, affirm the divine."²³

This transmutation of the religious into the political is a most dangerous attitude in a settler-colonialist set up, with all its attended problems, as Arnold Toynbee so rightly observes:

The prevalence of this worship of collective human power is a calamity. It is a bad religion because it is the worship of a false god. It is a form of idolatry which has led its adherents to commit innumerable crimes and follies. Unhappily, the prevalence of this idolatrous religion is one of the tragic facts of contemporary life.²⁴

Leaders of religious Judaism have been rightly alive to this danger, so much so that the venue of the First Zionist Congress (1897) was changed from Munich to Basle, Switzerland, mainly due to the strong anti-Zionist reaction from the German Rabbinic Executive and local Jewish community leaders. Exemplifying this position was the attitude of Rabbi Joseph Hayyim Sonnenfeld, of the Jerusalem separatist community, as expressed in a letter to a friend in Hungary (February, 1898):

With regard to the Zionists what shall I say and what am I to speak? There is great dismay also in the Holy Land that these evil men who deny the Unique One of the world and His Holy Torah have proclaimed their power to hasten redemption for the people of Israel and gather the dispersed from all the ends of the earth. They have also asserted the view that the whole difference and distinction between Israel and the nations lies in nationalism, blood and race, and that the faith and the religion are superfluous . . . For us in the Holy Land it is a sure sign that Dr Herzl comes not from the Lord but from "the side of pollution" . . .²⁵

Zionist Settler Colonialism

Therefore, political Zionism is a nineteenth century colonial movement of some European Jews to found an exclusive Jewish colony, preferably in Palestine. This was to be European settler colonialism with the outlook and objectives reflective of other European colonial and imperialist ventures of the period. Zionist founders were quite unabashed in spelling out their settler colonial scheme and intentions. Jabotinsky, for example, wrote of

this in an essay entitled *The Iron Law* (1925):

If you wish to colonize a land in which people are already living, you must provide a garrison for the land, or find a benefactor who will maintain the garrison on your behalf . . . Zionism is a colonizing adventure and, therefore, it stands or falls on the question of armed force.²⁶

All colonialisms have a racist predicate but settler colonialism has a virulent racist predicate. The natives, to enable their ruthless exploitation, brutal repression, extermination or expulsion, have their humanity denied by the simple act of negation. The settler colonialist declares, one way or another, that “the native is not human” or worse, “the native does not exist”. It is this mind-set that prompted Levi Eshkol, a former Israeli Prime Minister, to ask: “What are Palestinians?” and for Golda Meir, another former Israeli Prime Minister, to declare: “There is no such thing as Palestinians . . . they do not exist”, and for the first Israeli Prime Minister, Ben Gurion, to elaborate: “In a ‘historical and moral sense’ Palestine, the Holy Land, is a country ‘without inhabitants’”²⁷ Neither do Africans exist in South Africa. Denying the humanity of the natives is the *sine qua non* of settler-colonialism. Yet, an equally important aspect is the assertion of a special superiority over the native. The most pernicious claim to specialness is the one that invokes God. This invocation is the total and ultimate justification. People become agents of God’s will; human acts are transmuted into a divine calling and responsibility is avoided. Actions and the consequences of those actions become unquestionable and unassailable. This is the claim of Zionists and that of Afrikaner Nationalists: they claim to be chosen peoples, the elect of God put in this world to fulfill a divine mission. These claims also have a virulent racist component.

Let us, briefly, look at how Zionism affects and afflicts the Palestinians. The issue of Palestinian human rights cannot be properly dealt with by the simple act of cataloguing an endless series of violations, a deeper understanding is necessary. This understanding can only derive from an understanding of what the responsible agent is – the state of Israel. The state of Israel is a settler colonial entity produced by some European Jews whose dream was to found an exclusive Jewish colony in Palestine. According to Israel Zangwill, one of the founders of political Zionism, it was a movement began by “a people without land” in search of “a land without a people.”²⁸ The problem was that Palestine was already populated by over half a million people. This is the crux of the Palestinian issue. An exclusive Jewish state could only be realized by displacing the non-Jewish people already there. Unbelievably, the Zionist founders of Israel were undeterred by these realities and proceeded to realize the impossible dream of an exclusive Jewish state.

Let us take a closer look at these realities. According to a 1922 census, approximately 750,000 persons lived in Palestine, about 80,000 of whom

were Jews. According to a second official census of 1931 there were one million people in Palestine, including approximately 175,000 Jews. No official census was taken after that date but estimates indicate that approximately two million people lived in Palestine before the outbreak of the 1947-1948 war, including approximately 600,000 Jews who owned 1.5 million dunums of land, equivalent to 7 per cent of the total area. After the fighting ended in late 1948, only 156,000 Arabs, out of a total of 900,000 who had lived there before the fighting broke out, remained in the land occupied by Israel, which constituted 80 per cent of the area of Palestine. A further 500,000 Palestinians were driven out after the 1967 war.²⁹ This tragic process of displacement and colonization continues unabated in realization of the Zionist dream of an exclusive Jewish state as mandated by God in the Bible.

The treatment and fate of Palestinians in the occupied territories after 1967 is a reprise of what happened after 1948. It is, in fact, a continuation of the same basic policy and the same policy objectives whose realization is only possible through military means. Palestinians in Israel came under military rule after the 1948 war and remained so until 1966. Palestinians in the occupied areas came under military rule after the 1967 war and remain so to this day. Military rule in Israel has its legal foundations in the British Mandatory Defence (Emergency) Regulations, 1945 and the Israeli Emergency (Security Zones) Regulations 5709 of 1949.³⁰ Being military regulations, they inherently have no regard for the human rights of the subject people and their only regard is for security, i.e. security of the colonial power. Ironically, Defense (Emergency) Regulations, 1945, though initially an outgrowth of military efforts to suppress the Arab revolt in Palestine, 1936-39, were later used against Jews in Palestine. At that time, Zionist leaders rightfully condemned these military regulations as, among others, a violation of the "basic principles of law, justice, and jurisprudence" . . . and that these laws "rob every settler of his basic rights, in violation of law, order, and justice"³¹ and correctly that: "It is too much to ask a citizen to respect a law that outlaws him"³² and the more insightful, if not prophetic charge against these laws: "They try to reassure us by saying that these laws apply only to offenders and not to the whole of the population, but the Nazi governor of occupied Oslo also said that no harm would come to those who minded their own business . . . ;" and "No government has the right to draw up such laws . . ."³³ This irony is symptomatic of an exclusive Jewish state, i.e. how a people so long subjected to exclusion and discrimination and have suffered the ultimate horror of the holocaust could themselves now be capable of such deeds. Zionist behaviour towards the Palestinians is highly suggestive of the "battered child syndrome."

During the 1948 war, Palestinians were simply driven out through terror. Those remaining were relegated to an inferior status by reason of their non-Jewishness in a Jewish state. Their human rights were denied; their

properties and land were expropriated. The "law outlawed" them. Palestinians became pariahs in the land of their birth and for the vast majority their Diaspora had began.³⁴ All this happened with a deafening silence from the world communities, especially in Western countries, which had just gone to war against Nazi injustice.

The June 1967 war extended Israeli military rule to the occupied areas of the Golan Heights, Gaza and the West Bank. Again, the fundamental human rights of Palestinians and other Arabs under Israeli occupation were violated in spite of their guarantee under international law. Thousands of Arabs, mostly Palestinians were again displaced. For thousands of Palestinians this was a second displacement following that of 1948. This time, the world took some note, United Nations concern was immediate; on July 4, 1967, the Security Council unanimously adopted a resolution calling upon Israel to facilitate the return of persons who had fled the war. The United Nations General Assembly affirmed the Security Council Resolution one month later. It soon became apparent that repatriation was not the only issue, thus, United Nations concern extended to ill treatment of Palestinians and violations of their human rights. December 19, 1968, the United Nations General Assembly established a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. The United Nations Commission on Human Rights, March 4, 1969, established a special Working Group of Experts to investigate allegations of violations of the Fourth Geneva Convention of 1949. On February 11, 1970, this group issued a report that found substantial Israeli violations of the 1949 convention and this report was approved by the Commission on Human Rights. Israel has repeatedly refused to permit the General Assembly's Special Committee to visit the occupied territories to investigate the allegations made against it. Israel also argues against the applicability of the 1949 Geneva Convention to the Arab territory it occupies.³⁵

Unlike the pre-World War II period, the spurious excuse of the Nazis about the absence of texts of penal law or international conventions protecting civilian population, hardly holds. The United Nations Charter in articles 55 and 56 already recognizes and protects individual human rights. The human rights charter provisions have been supplemented by an "international bill of rights" consisting of the Universal Declaration of Human Rights (1948). The human rights conventions carry into treaty form most of the provisions of the Universal Declaration. These are the International Covenant on Civil and Political Rights, the International Convention on the Elimination of all Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime Genocide.³⁶ Israeli practices in the occupied territories have repeatedly been adjudged in violation of the United Nations Charter, the International Conventions cited and the Fourth Geneva Convention. Israel refused to heed these condemnations

and arrogantly asserts the primacy on her own contentions to the contrary. This posture is routinely coupled with vilifications of the United Nations in language that can best be described as contemptuous. Ironically, again, these conventions were motivated by the plight and tragedy of Jews during World War II.

Let us now take a closer look at these Israeli practices which stand in violation of the human rights of Palestinians and other Arabs in the occupied territories.³⁷ This will be done in the light of United Nations Charter, International Conventions on Human Rights and more specifically, the international law of military occupation. That law is found primarily in the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of August 12, 1949 (popularly referred to as the Fourth Geneva Convention). The convention grants the occupier the right to take measures to maintain its security; however, the underlying assumption of the convention is that even military necessity cannot be allowed to deprive human beings certain elementary protections. As already stated, Israel adamantly holds that the Fourth Geneva Convention does not apply to the occupied territories, a contention disputed by legal authorities; the United States and other nations; the United Nations General Assembly and Security Council and other international bodies. Israel, thus, stands very much alone with her contention. Any other nation would be deterred, or at least be uncomfortable, by this isolation but not Israel which only answers to a higher calling. By her own lights, the Fourth Geneva Convention (article 49) which clearly states "The occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies" is superseded and, therefore, nullified by "Now the Lord has said unto Abraham, get thee out of thy country, and from thy kindred, and from thy father's house, unto a land that I will show thee: and I will make thee a great nation and I will bless thee, and make thy name great . . . and Abraham passed through the land unto the place of Sechem, unto the plain of Moreh . . . and the Lord appeared unto Abraham, and said, Unto thy seed will I give this land." (Genesis 12)

Since June 1967, over 60,000 Israeli citizens have settled in some 100 locations, including East Jerusalem in clear violation of Article 49(6) of the Fourth Geneva Convention. These settlements continue. The World Zionist Organization has, last year, offered a plan calling for expenditure of \$187 million to expand existing settlements and create new ones. It suggests creation of 70 new settlements that would increase the Jewish population to 100,000.³⁸ Much higher population figures have been mentioned by other Zionist sources. Jewish settler organisations have become a law unto themselves. They create irreversible facts. Two organizations are in the vanguard of the settlement movement; the Kach movement led by the American-born Rabbi Kahane which openly calls for the expulsion of all Arabs from Israel, i.e. Eretz Israel; Gush Emunin is the

largest settlement movement with very close ties to the government. "As reverent Jews and devoted Zionists, they believe that the West Bank which they call by the biblical names of Judea and Samaria was given by God to the Jews of the Torah."³⁹ These are not just settlements on unoccupied Arab lands, they often entail expropriation of Arab land and properties and the displacement of Arabs by Jewish settlers. Between a quarter and a third of Arab land has thus been expropriated. The official government position is to deny expropriation with the assertion that these are Jewish lands to begin with. Likud Cabinet Secretary Aryeh Naor asserted that "it would be an act of anti-Semitism to say that a Jew could not settle in Judea and Samaria."⁴⁰ All indications are that these settlements are permanent, they are the hub of creeping annexation that Israel obviously intends. All this is done in the name of God of which Jacob L. Talmon, the late Israeli historian, observed in a March (1980) issue of *Ha'aretz* "There is nothing more perverted and retrograde than the use of religious sanction in conflicts between peoples and countries. There is no compromise of a bit more or a bit less when it comes to religious disputations."⁴¹ East Jerusalem was formally annexed July 1980 as Israel's eternal capital. Massive removals of Palestinians from Gaza are ongoing.

A colonial relationship clearly exists between Israel and the occupied territories, this is especially pronounced in the economic field. The occupied territories serve as a source of cheap and tractable labor. There is a clear plan to attach the inhabitants of the occupied territories to the Israeli economy. The occupied territories also provide Israel with a market for its goods. The occupied territories obtain over 90 per cent of their imports from Israel. Since the occupation, Israel has increased six-fold its exports to the occupied territories making these territories Israel's second largest market, second only to the United States. The trade surplus in Israel's favor is tremendous, \$513 million from 1967-1974. In now classical colonial fashion, the economies of the occupied areas are distorted to serve Israeli interests. Even the modest industry existing in the occupied territories is hostage to the Israeli economy. The *Jerusalem Post* of January 29, 1975, observed: ". . . the dependence of the territories on the Israeli economy goes much further . . . A substantial part of the modest industry existing in the territories is working on jobbing orders placed by Israeli manufacturers and merchants, and would be unable to find alternative markets."⁴² Palestinian agriculture has also been distorted to serve Israeli interest, this is in addition to the devastation caused by massive land expropriations, expulsions and displacements. Add to this the rampant destruction of Palestinian crops such as by the "Green Patrol", an arm of the agriculture Ministry which has sprayed poison on fields thereby destroying many acres of wheat, barley and olive groves.⁴³ Israel has also imposed a dependent specialization; she also prohibits the raising of agricultural products that will compete with those of Israel. Palestinian agriculture has also been hurt by competition

from Israel, where the government provides farmers with a 15 to 30 per cent subsidy plus credit advantages to facilitate modernization.⁴⁴ Thousands of former Palestinian farmers are now day labourers on Israeli farms where they are underpaid and generally abused. The worst case of exploitation and abuse involves Palestinian children as young as 8 and 10 years old who rise at 2 and 3 a.m. for hire on Israeli farms.⁴⁵

One of the first things done by Israel after occupation was to open up employment agencies to recruit Palestinian workers for jobs in Israel. This was necessitated by a trend in all developed capitalist countries where the local workers are becoming or have become an "aristocracy of labor." As such, there are many unskilled positions considered below their dignity thus necessitating the importation of migrant labor to do the dirty and underpaid work. The Israel Economist (October 1971) commented thusly on this trend: "The Israel government is channelling Palestinian workers into the lowest ranks of the Israeli proletariat by denying work permits to persons from the occupied territories for any job deemed appropriate for unemployed Israelis and by referring workers from occupied territories only to unskilled or semi-skilled jobs."⁴⁶ All occupied territories workers are underpaid and variously exploited but particularly, underpaid and super-exploited are those unable to find jobs through ordinary channels and who participate in "illegal" labor exchanges, gathering "every morning in a series of agreed upon junctions and meeting places . . . These are part of the thirty thousand unorganized workers, whose gathering every morning constitutes the stock-exchange of manual labor."⁴⁷ Many of these workers sleep in warehouses or other such structures where they work, being locked in every night. Added to this exploitation are state deductions of 40 per cent for insurance funds. They pay but are entitled to no benefits and do not receive any. between 1969-1974, Israel deducted \$260 million.⁴⁸ A telling indictment of these labor practices is offered by Danny Rubenstein of Davar in a May 18, 1976 article: ". . . an Arab worker is extremely movable, one can fire him at one moment and transfer him from one place to another; he does not strike and he has no 'claims' as the Israeli worker has. In short, in many economic respects, the workers of the territories are a treasure for the Israeli economy."⁴⁹

Violations of Palestinian human rights are a constant and all pervasive feature of Israeli rule. Civilian assaults are common and humiliation is part of the order. Under the guise of searching for weapons, Palestinian women have been undressed in the streets and left naked by Israeli security personnel. Palestinian social institutions are forced into a dependent relationship with those of Israel. Regulations of 1945 permit an Israeli military commander to order the demolition or sealing up of a building if there are reasonable grounds to believe that the building has been fired from or where an inhabitant has committed or abetted the commission of a violent act prohibited under the Defense Regulations. In addition,

Regulation 119(1) permits the destruction of buildings not used to commit acts prohibited by the Regulations; the building only has to be located in the same general area where a prohibited act has been committed.⁵⁰ This draconian law has been used as a license to terror, its provisions are used extensively and indiscriminately. Decision to blow-up or board-up a building is made arbitrarily without any judicial determination of guilt or innocence. Many who are later acquitted have had their houses blown-up. The latest incident was the destruction of buildings adjudged implicated in the May killing of 6 Jews and the wounding of 17 in Hebron. Some of the houses blown-up in retaliation by the army turned out to "belong to the family of Idris Hirbawi, an Arab whose grandfather saved more than 20 Jewish families from attack by Arab rioters in 1929 by giving them shelter in his house. The buildings, containing eight stores, were destroyed within hours of the terrorist attack. 'Nobody decided to ask who they belong to' an army officer said sheepishly."⁵¹

Collective punishment is another Israeli popular device. This is meant to be a deterrent by terrorizing the whole neighbourhood or community. Imposition of curfew is another prevalent form of collective punishment. Another form is the closing down of social institutions such as schools. Politically active Palestinians are routinely expelled from the occupied territories. These expulsions are arbitrary and particularly cruel since no fore warning is offered and one is simply suddenly separated from home, family and friends. Administrative detention is another prevalent device whereby suspects are held, sometimes for years, without any charges being brought. Palestinian political prisoners are held in inhuman jail conditions and by all accounts, torture is systematic and routine to induce confessions. This past July, there were news reports of the deaths of two Palestinian prisoners who were a part of a group that went on a hunger strike to protest prison conditions at the infamous Nafha prison. They were force-fed and died as a result.⁵² This is a general outline of violations of Palestinian human rights.

Conclusion

Whilst there is something unwholesome about comparing oppression, exploitation and denial or violations of human rights, a casual acquaintance with the South African situation will suggest close parallels, if not an actual identity of condition, between Palestinians under Zionist rule and Africans under Afrikaner Nationalist rule. Both peoples are victims of racial discrimination; both peoples have been robbed of their land; both peoples have their labor ruthlessly exploited and both peoples have been denied the most fundamental of all human rights – the right to self-determination.

Whereas South Africa has laws clearly identifiable as racist, Zionist racism is informal, de facto and deceptive. Whereas, the victims of Apartheid enjoy international sympathy and support, the victims of Zionism are viewed with suspicion, if not outright condemnation. Whereas,

South Africa receives general opprobrium and is fast becoming a pariah in the community of nations, Israel continues to bask in international respectability and is touted as an outpost of civilization and democracy. The International power and influence of Zionism remains undiminished allowing Begin to blackmail the world with the absurd assertion that "there is no difference between anti-Israelism, anti-Zionism and anti-Semitism."⁵³

Central to the denial and negation of the human rights of Palestinians and Africans in South Africa are the ideologies of Zionism and Apartheid. These ideologies postulate an inherent inferiority of their victims which invites and justifies their inhuman treatment. As ideologies of settler colonialism, they justify discrimination, expropriation and repression. The logic of these racist ideologies extends to the possibility, if not the probability, of extermination and annihilation. It is this logic which allows Israel and South Africa to place themselves above all customs and laws and to declare the primacy of their self-defined survival. It is this psychotic mind-set that renders these two entities ultimately a danger to world peace and a threat to humanity.

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FOOTNOTES

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31. Dr. Moshe Dunkelblum, who later became a Supreme Court Judge, addressing a conference of the Lawyers' Association in Tel Aviv on February 7, 1946, quoted in *Ibid.*, p.11.
32. Dr. Bernard Joseph, later Dov Joseph, of the Jewish Agency, addressing the same conference, quoted in *Ibid.*, pp.11-12.
33. Mr. Yaacov Shimshon Shapira, who became legal advisor to the new government, at the same conference, quoted in *Ibid.*, p.12.
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