Reflections on South Africa

In October 2008, a delegation comprised of the general secretaries of Arab political parties in Israel and academics and political activists traveled to South Africa to participate in an intensive two-week educational course. The course consisted of lectures and workshops aimed at examining the experience of South Africa in fighting Apartheid and the struggle of the African National Congress (ANC) for equality for black citizens of the state and the country's transformation to a democratic state. It also included field visits to historical sites of the anti-Apartheid struggle, including the Constitutional Court, which was built on the remains of Apartheid prisons; the Apartheid Museum; and the site of the former Supreme Court, which sentenced ANC leaders to life in prison. The visit was initiated by Adalah and the Human Sciences Research Council (HSRC) in coordination with the South African government and the Chairman of the High Follow-up Committee for Arab Citizens in Israel, Mr. Shawqi Khatib.

Following the visit, Adalah asked the members of the delegation to give very brief written responses to three questions:

Question 1: Please give us your opinion on the similarities and differences between the Palestinian struggle and the struggle of the African National Congress (ANC) in South Africa. What lessons can be learned from the experience of the struggle against Apartheid?

Question 2: Recently, comparisons between the Israeli regime and the Apartheid system in South Africa have abounded in the political and academic discourses. From your experience, to what extent do you consider this comparison valid or appropriate?

Question 3: In the negotiations between the ANC and the ruling party during apartheid, the ANC rejected the inclusion of collective rights of minorities in the new constitution, claiming that collective rights are contrary to the liberal orientation of the constitution. In your opinion, to what extent is this direction a suitable one for Palestinians in Israel?

To date, five members of the delegation responded to these questions and their answers follow. The five participants are:

Mr. Awad 'Abd al-Fattah, Secretary General of the National Democratic Assembly-Balad party

Dr. Khaled Abu Asbeh, Director of the Masar Institute for Educational Research, Planning and Counseling; Board member of Adalah

Dr. Thabet Abu Ras, Lecturer, Ben-Gurion University; former Board member of Adalah

Ms. Tamam Badeer, Educational consultant; Islamic Movement

Ms. Einas Odeh-Haj, Assistant Director of Mada al-Carmel – Arab Center for Applied Social Research; National Democratic Assembly-Balad

Question 1: Please give us your opinion on the similarities and differences between the Palestinian struggle and the struggle of the African National Congress (ANC) in South Africa. What lessons can be learned from the experience of the struggle against Apartheid?

Mr. Awad 'Abd al-Fattah

It is difficult in this context to summarize all the lessons, similarities and differences between the two experiences, but I can allude to the most important. First, from the beginning, the South African resistance founded its demands on equality and not on the basis of separation. Thus their political strategy was based on the rhetoric of liberal rights. It remained consistent with this discourse and goal until the fall of apartheid, although some called for secession on a geographic and demographic basis. The South African experience did not sanctify any means of struggle. It made use of every means (peaceful, military and popular) as the circumstances required. In certain cases, one means took precedence over another, while at other times, one means was replaced by other means or a combination of means. For example, following the Sharpeville Massacre in 1960 and the banning of the ANC, there was a shift to armed struggle. However, the popular means of struggle – demonstrations, strikes, sit-ins and civil disobedience – remained essential.

The leaders of the resistance were largely successful in managing the conflict with the regime and in controlling internal conflicts between the factions within the resistance. The unity of the democratic national movement in South Africa was essential and it was decisive in their victory.

Regarding national unity, the Palestinian national movement has split in a dangerous manner before it has achieved its goal and a part of it has become almost allied with the occupation. This reminds us of the distorted political entities that were established by the apartheid system for the Coloreds and the Asians. When I say this I am aware that the establishment of the Palestine Liberation Organization in the 1960s was an important and unifying action that embodied the character of the nation and ended fragmentation. However, the monopoly over resources and decision-making by one faction led to the failure of the organization and the humiliating compromises made by its leadership that aborted the main objective of the Palestinians: the establishment of a single secular, democratic state in Palestine. While there are significant differences in important aspects of the two experiences, what characterized the South African resistance was consistency and clarity in its strategic goal: the abolition of racism and the achievement of full equality. This differs from the position of the Palestinian elites, who began by proposing a single state, and ended by demanding a state on just 22% of Palestine and accepting Israel as a Jewish state.

Dr. Khaled Abu Asbeh

There is no doubt that there are similarities as well as substantial differences between the Palestinian struggle and the struggle of the ANC. The similarity is the fact that in both cases, there were political parties and movements engaged in a political and military struggle with the existing regime. In both cases, those fighting in the struggle have died over the years of the struggle. However, there are a number of areas in which there are substantial differences between the two cases.

The participation of Whites in the struggle alongside Blacks in South Africa was more common than Israeli Jews actively struggling against the Occupation. Furthermore, over the years, the Palestinian leadership has been unable to enlist world opinion and foreign governments to support their struggle. There is no doubt that in the case of South Africa, mass mobilization constituted the umbrella under which the struggle continued and succeeded.

At a certain point, the struggle in South Africa became a political struggle rather than a military one under the ANC's leadership. This has not happened in the case of the various Palestinian factions. The ANC's ability to lead a unified struggle of the different factions was one of the keys to its success. Such unity has long been absent from the PLO, where the various factions are in dispute over its structure and the legitimacy of its essential decisions.

Another crucial difference between the two cases is that the struggle in South Africa continued against the White (minority) government outside the existing political framework. However, under the Oslo Accords (the peace process) the main Palestinian factions participated in the elections to the Palestinian Authority, an authority that has no actual control on the ground but continues to be controlled by the forces of the Occupation.

Dr. Thabet Abu Ras

There are no doubt similarities and differences between the Palestinian struggle and the struggle of the ANC in South Africa. The Palestinian struggle is directed against Occupation and seeks independence and the establishment of a Palestinian state, while the struggle in South Africa was against the Apartheid system of government in the state and for justice and equality.

Another characteristic of the difference between the two struggles is that religious and ethnic dimensions are very prominent in the Palestinian situation, while in South Africa, the struggle had ethnic or racial dimensions but not national or religious dimensions. There are also differences in the means of struggle. The Palestinians used armed struggle, including martyrdoms, in the late 1990s and during the second Intifada, and sometimes targeted civilians. However, the armed struggle in South Africa was generally directed against the racist regime and its installations (e.g., power plants), and rarely against civilians.

Ms. Tamam Badeer

One of the differences is that there are many parties and factions within the Palestinian struggle, which makes it difficult, in many cases, for them to agree over the proposed solutions, whether the issues are internal or external. By contrast, the ANC led almost unrivaled and internal conflicts and disagreements were settled within the framework of the party, which made the ANC's work more efficient.

The ANC's experience is worth studying because it involves resistance to colonialism and reaching a national understanding between the colonizers and the indigenous people that is not based on the dominance of one group over the other, but on respect for pluralism.

One of the lessons that can be learned from the experience of the liberation movement in South Africa, and which movements in the Palestinian struggle should absorb and internalize, is that the methods of struggle vary from peaceful to violent, according to the different circumstances and the timing. Further, no one method was preferred over another, except as necessitated by the circumstances and the progression of the development of the struggle. A variety of methods were employed simultaneously, which ultimately fulfilled the objectives of the resistance.

The Whites and the Blacks alike identify themselves as South Africans. The Israeli-Palestinian reality is different altogether. Israelis and Palestinians are two different nations with different aspirations and ambitions; they are also different in terms of their religion and heritage.

The ANC's political experience reflects the sophisticated and profound democratic orientation that characterizes its leadership. This makes learning from the South African experience a difficult but necessary task.

Ms. Einas Odeh-Haj

Many lessons could be learned from the South African struggle to help in the Palestinian struggle against the Occupation, the most important is perhaps the ability to mobilize international support. International support was one of the four major pillars of the struggle against apartheid in South Africa, which were: mass mobilization; underground operations (as a reaction to the outlawing of most organizations that led the struggle); armed struggle, and the international solidarity movement. In the 1980s, the international community imposed economic sanctions on the racist South African regime, which led to the near collapse of the country's economy. The price that it paid and the isolation created by the international boycott made the Apartheid government realize that it could no longer pursue policies of Apartheid. Signals towards negotiations to end the Apartheid system and establish

a democratic regime in South Africa then began to appear. What led to this international action? Mainly, the effectiveness of the leadership of the struggle, which included multiple parties and organizations under the banner of the ANC, and concerted efforts made in the four main methods of struggle that complemented each other and served the overriding goal. Resorting to armed struggle, for example, was not done in isolation from the political struggle, but complemented the political work within a clear and uniform strategy of resistance. This means was used in addition to the mobilization and organization of civil society - social and women's organizations, student movements, etc. - and the unity and clarity of the higher objective that everyone was striving to achieve, i.e. the building of a democratic state and a society based on equality and mutual recognition, a goal for which minor and limited differences can and must be put aside.

In this regard, the Palestinians could benefit from the South African model, as the justice of the Palestinian issue is no less than the just cause of the struggle against Apartheid. Palestinians must unify their strategies of resistance to ensure the mobilization of the people, all the people, in the service of the paramount goal: liberation and building a democratic state. Frameworks must be created to incorporate parties and other civil society organizations, along the lines of the United Democratic Front (UDF) in South Africa, which brought together hundreds of civil society organizations to support and empower the political struggle.

At the international level, work must be done to unify the Palestinian discourse abroad and formulate it in the language of universal human rights, without neglecting the national aspect, which is the core of the conflict, in order to garner international support for the Palestinian cause. The Palestinian situation is more intractable than that of South Africa because of the bias of the United States towards Israel, internal Palestinian division and weakness, and the absence of a unified Arab position. However, the available scope is greater than the space that is actually being used, and so work in this direction must be redoubled.

Question 2: **Recently, comparisons between the Israeli regime and the Apartheid system in South Africa have abounded in the political and academic discourses. From your experience, to what extent do you consider this comparison valid or appropriate?**

Dr. Thabet Abu Ras

There are similarities between the situations in South Africa and in Israel. Both systems started as colonial regimes which developed systems of government that enabled them to rule the country. I believe that the Israeli regime is cleverer than the Apartheid regime, as it did not completely separate the Palestinians in the country from the Jews, but gave the Palestinian minority within the Green Line certain rights including the right to vote in the parliament. Some similarities, the seizure of land resources, the under-developed economy of the indigenous people and the racial discrimination against them ended in South Africa in 1994 but continue in Israel. Concerning the issue of land, planning and housing, Israel is trying hard to disguise its racist policy through specific "development" projects. Nevertheless, the issue remains that many laws, policies and practices pursued by the Jewish state are racist.

A comparison between the two cases can be overstated. In hindsight, it seems that it was easy to de-legitimize the Apartheid regime because the issue involved overthrowing a racist regime and the struggle was not coupled with changing state borders. It was also helped by

the fact that the majority of South Africans profess the same religion, Christianity. This is not the case in our situation.

We must take into account the Jewish aspect of the State of Israel and the influence of Jews in the United States as well as the influence US policy in the region. In the case of South Africa, there was no external, third party like the US that affected talks between the two parties; while there were intensive international campaigns against Apartheid including boycotts and economic sanctions by states, the solution came principally from within.

Ms. Tamam Badeer

One important difference lies in the world's view of the two systems. From the 1980s, the apartheid government in South Africa received much less support from the international community. However, Israel identified itself from the outset as a "state of Holocaust victims", which lent it overwhelming international support, although the policies of successive Israeli governments have somewhat reduced this support. In addition, many international actors avoid censuring Israeli practices for fear of being labeled anti-Semites.

Nevertheless, the perception of Israel has begun to slowly change and Israel's image in the world has become that of an occupier and "bully" state that tramples over international laws and moral precepts. However, those who hope that global public pressure will bring the regime in Israel to an end, as it did the Apartheid regime in South Africa, are deluding themselves.

The nations of the world can and should take an important role in the struggle to end the Israeli occupation and establish peace on the basis of "two states for two peoples." In the long run, Israel cannot ignore world public opinion. As Thomas Jefferson put it, "No nation can conduct its affairs without a decent respect for the opinion of the world." However, the main struggle is the struggle within the Israeli public, and the major burden here rests with the peace activists who call for justice in Israeli society. It is imperative that they intensify their efforts within their community and conduct various and different activities to influence public opinion and put pressure on their government. No one can share this burden with them.

Mr. Awad 'Abd al-Fattah

Yes, comparisons between the two systems abound in academic and political circles. These comparisons have led to calls for the adoption of the means of resistance used to oust the Apartheid regime in South Africa, such as sanctions and boycott. This scares the Israeli elites, who fear any mention of the one-state, democratic model in South Africa.

What frightens the leaders of Israel and the Zionist movement the most is democracy, or rather full equality. There are doubtless differences between the two systems, but in essence they are the same. The regime in South Africa was clearly and blatantly racist, which made it easier to open an international front against it, particularly as the leaders of the resistance adopted and promoted a clear and consistent democratic discourse. The Israeli regime has been more sophisticated and subtle. It has pursued many racist policies in an implicit manner, and is in fact more dangerous and brutal than its South African counterpart. The Israeli regime wanted to purge the land of its indigenous population. It did so in a brutal manner in order to declare itself a democratic state and become part of the Western democratic family,

which lent it every assistance and means of support. One can therefore say that the Palestinians are at the same time victims of the Jewishness and the democracy of Israel.

The first form of racist separation was the expulsion in 1948 and the first racist separation law was the Citizenship Law.

Israel does not want to coexist with the Palestinians; it wants to get rid of them through ethnic separation after failing to expel them completely. It has constructed the Separation Wall and the special legal system for the settlers, and it has imposed control on the Palestinian territory. The Wall separates Palestinians from Israel without giving them independence. In the Gaza Strip, Israel pulled out of the prison to control it from the outside. The occupation remains in place in Gaza but without the duties of occupation, Israel claims. In Israel, the system has deteriorated towards Apartheid: Arabs in Israel have the right to vote, but they languish in a racist system that discriminates against them in all spheres of life. The current Israeli Prime Minister, Ehud Olmert, admitted that discrimination against Arabs has been a deliberate policy followed since 1948.

The Palestinians in Israel are second-class citizens and their situation is similar to that of the Coloreds and Asians in South Africa, who were granted the right to vote for race-based parliaments of their own without sovereignty. Today, Palestinians in Israel are treated as a security and demographic threat and not as equal citizens. Therefore, the similarities between the two regimes are great, a fact which suggests that Palestinians should adopt the political principles that toppled the apartheid regime in South Africa.

Ms. Einas Odeh-Haj

In my view, there is room for comparison. Of course, there is not complete congruence between the two systems, but certain differences cannot cancel out the multiple similarities between the two regimes.

The most prominent similarity between the two sides is the fact that both are colonial settlement systems based on the expulsion of indigenous peoples and expropriation of their lands, in addition to perpetrating crimes and massacres against them. While the White settlers (who later become known as Afrikaners) invaded the African lands and expelled the indigenous (Black) population, Zionist organizations occupied Palestinian land, displaced the population and confiscated the lands of those who remained.

Another similarity between the two sides is in dealing with the concept of existential security, which prevailed in South Africa and is still prevalent in Israel. In both cases there was a firm belief that the dominant ruling group could not maintain its existence and security except through a state that defines itself using an ethnic definition. Any attempt to change this definition, even if it is in the direction of greater democracy, presents an existential threat that must be contained, rejected and even fought in every way possible.

Similarities between the Israeli and the apartheid systems are also evident in daily practices such as the functioning of the Apartheid Wall regime, restrictions on the movement of Palestinians in the West Bank and Gaza Strip through barriers that cut off the land from the people and permits for movement that may or may not be given arbitrarily and are not subject to legal or humanitarian standards.

As regards to the differences, a main difference is that South Africa publicly and openly adopted a system of ethnic Apartheid and did not try to disguise it. Israel, however, continues to try to cover its racist policies with a margin of democracy as it continues to maintain its image as the only democracy in the Middle East

Dr. Khaled Abu Asbeh

The comparison is valid with regard to the approach of the State of Israel in the Occupied Territories. The Separation Wall, which separates off and imprisons millions of Palestinians within a tightly closed area and in which Palestinian towns and villages are cut off from each other, is similar to the racist separation that existed in South Africa during the Apartheid regime. In addition, the elected Palestinian Authority has no control over natural resources in the Occupied Territories. However, comparisons are less appropriate as regards the Israeli government's treatment of the Palestinian Arabs who are citizens of Israel. These citizens are given the possibility to elect representatives and to be elected to the Knesset (even though those who are elected are unable to substantially influence the decision-making process) and to local authorities in the Arab towns and villages and the mixed cities in Israel. Discrimination and ethnic separation appear differently in Israeli law than it did in the laws of apartheid South Africa. In South Africa, it clearly targeted a certain group, while in Israel many laws indirectly discriminate, except for the Citizenship Law, which targets Palestinians and Arabs as such.

Question 3: **In the negotiations between the ANC and the ruling party during apartheid, the ANC rejected the inclusion of collective rights of minorities in the new constitution, claiming that collective rights are contrary to the liberal orientation of the constitution. In your opinion, to what extent is this direction a suitable one for Palestinians in Israel?**

Ms. Einas Odeh-Haj

Constitutions are usually made to protect the rights of individuals in the state in the face of changing circumstances. They often come as a subsequent step to the establishment of states or to their independence, and as an expression of the aspirations of these countries.

Democracy in its wider sense must ensure the collective rights of minorities. The ANC perceived that there was no need to include collective rights in the constitution, as it believed the general principle of liberal democracy would protect the collective rights of minorities. However, I believe that if a constitution of the State of Israel is drafted, there must be specific assurances of the collective rights of Arabs as an indigenous ethnic minority as it is not sufficient to include it implicitly in the principle of democracy and individual equality.

There is a major substantive difference between the Israeli and the South African cases in the form of Israel's self-definition as a Jewish state. Ethnic definitions are not part of the South African constitution, nor of most modern constitutions. The definition of Israel as a Jewish state means that Zionism is the supreme ideology, which, if confirmed constitutionally, would leave more than a gap to ease the circumvention of issues of equality and the individual liberal democratic rights of the Arabs. In this case, the Zionist concept of the state would be the ultimate foundation of the state, and not the principle of individual equality and human rights.

In each of the constitutional proposals for Israel considered by the Knesset so far, there has been emphasis on the Jewishness of the state. This fundamentally contradicts democracy and the rights of the Arab minority and hence there is a need to specifically emphasize the collective rights of the Arab minority, particularly if the constitution were drafted before the end of the Israeli occupation and the realization of the Right of Return. To constitutionally confirm the Zionist concept, with its close relation to geography and demography, basically comes in order to legitimize the derogation of the rights of the Arabs, and therefore the possible gaps to achieve this must be filled.

Dr. Khaled Abu Asbeh

There is no similarity between the two cases. South Africa is not defined as a state for one group as is the State of Israel. The South African constitution tries to create some civil unity that includes all citizens of the state, while the basis is equality for all. Israel is defined as a Jewish state, and as such, the indigenous minority is excluded and cannot by definition be a part of it. Hence, to preserve individual rights, the collective identity of this indigenous minority has to be fostered, a collective identity that will ensure individual rights and also preserve the unique national and cultural identity of the Palestinian Arab citizens of Israel.

Dr. Thabet Abu Ras

The solution to the issue of citizens' rights in South Africa through one constitution that protects everyone is not appropriate for the situation in Israel. Progress in the State of Israel cannot be made without guaranteeing the collective rights of Arabs in this country.

There are differences between the two cases. In our case, there is an indigenous minority, while in South Africa the Whites were an immigrant minority. What the South African constitution proposed was to guarantee the rights of all citizens, Black and White, and to build one nation. In Israel, what is being proposed is a constitution that protects the ethnic Jewish state, and not a liberal democratic constitution that includes an active, effective and non-assimilated Palestinian minority.

While Blacks and Whites in South Africa continued to live in their homeland on an equal basis, a large part of the Palestinian people has been uprooted from their homeland and now lives in the Diaspora. Thus, the Palestinian discourse cannot be merely content with talk of citizenship and civil rights.

The rectification of the historic injustice done to the Palestinian people, a just solution that ensures their full rights with the resolution of the refugee problem as a top priority, is the preface to any constitution for the country; in other words, a constitution for the State of Israel cannot be ratified in the absence of collective rights for Palestinians in the country.

Mr. Awad 'Abd al-Fattah

The liberal rights discourse has recently been transformed into a primary tool in the struggle for justice of many minorities in the world. This has happened in the framework of nation states in which the minority and majority do not differ over the existence and legitimacy of the state.

However, the case of the Palestinian people is different, as they have no state and their official political framework was smashed by the Zionist movement and more than half of the population was displaced. The Apartheid model is different from the Palestinian situation, with regard to the crucial issue of the refugees, who form the majority of the Palestinian people, even of the Palestinians in the 1967 Occupied Territories. There are also the problems regarding Arab citizens in Israel, because the issue has gone beyond discrimination or marginalization to the form of a quest to actually reduce their numbers, either through overt or implicit policies.

In South Africa, the ANC rejected the inclusion of collective rights in the constitution, not as a disavowal of the principle of collective rights of the national minority and peoples, but because, as we know, the ruling white minority exploited collective rights to justify their separation from the indigenous black population. Therefore, the ANC leadership was fearful of continuing this policy, particularly as this "White" idiosyncrasy was formed through colonial and repressive practices and monopolization of power and wealth. However, the text of the South African constitution recognizes the 11 different languages of the country, including the language of the White minority (Afrikaans).

With regard to the Palestinian issue, in the case of the one-state solution, the liberal rights discourse is applicable as long as the Palestinian people living outside their homeland because of their systematic expulsion are taken into consideration.

For Arab citizens in Israel and the two-state solution, collective rights become essential, as there is no equality without these rights. This is reflected in the demand for self-determination for the Palestinian minority in Israel through a cultural self-rule under the axiom of a "state of all its citizens".

However, in light of the remoteness of the two-state solution, and the tendency of Israel's policy against the Arabs within the Green Line towards Apartheid, then making the starting point the universality of the Palestinian issue as a colonial issue and promoting the one-state solution are essential.