بِسْمِ اللَّهِ الرَّحْمَٰنِ الرَّحِيمِ

TWO REGIMES,

THE SAME POLICY,

THE SAME DESTINY?

A comparative study of discriminatory policies between the South African Apartheid Regime and the Israel Regime, with a look at the proposed solution plans, especially the Imam Khamenei plan for Palestine

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First Edition

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Preface

The solution of the Islamic Republic to the issue of Palestine and this old wound is a clear and logical proposal that is based on political wisdom accepted by global public opinion..., we propose a referendum among the Palestinian people. Just like any other nation, the Palestinian nation has the right to determine its own destiny and to elect its own government. All the original people of Palestine - including Muslims, Christians and Jews and not foreign immigrants - should take part in a general and orderly referendum and determine the future government of Palestine whether they live inside Palestine or in camps or in any other place. The government that is established after the referendum will determine the destiny of non-Palestinian immigrants who migrated to Palestine in the past. This is a fair and logical proposal which global public opinion understands and it can receive support from independent nations and governments.

(Ayatollah Seyyed Ali Khamenei, the Supreme Leader of the Islamic Republic of Iran's Speech at International Conference on Palestinian Intifada, October 1, 2011)

This book discusses the similarities and differences between the Israeili Regime and the South African Aparthide

regime. The regime of Israel[1] has been repeatedly compared with the apartheid regime of South Africa by scholars, politicians and cultural figures. This study intends to compare the historical, geographical and ideological backgrounds of these two regimes, and particularly their discriminative policies, in order to provide a more clear view of the nature of Israeli's apartheid policies and the likely implications of these similarities on the future of Israel regime. The regime of Israel's behavior in dealing with the residents of the occupied territories is in many ways similar to those of the apartheid regime of South Africa, especially in social and economic respects. These similarities include several things: a special authentication system, control of natural resources of the settlements, segregation of the settlers, the establishment of permanent several checkpoints, creation of separate reserves for citizens, inequal access to land, and the right to education and employment. The study then proceeds to discuss how these similarities led to the formation of apartheid in Israel. These similarities help us know if Imam Khamenei's referendum plan, might take place in Palestine, like what happened in South Africa.

OMID REZAEE

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1 . The use of the term "Israel regime" in this book is merely to facilitate discussion of the Palestine crisis, and as is clear from the content of the book, Israel regime has not been recognized by Islamic Republic of Iran. "Zionist Occupying Regime" is the accepted term in Iran`s political literature.

Preface II

The South African Apartheid system was a hated political power based on racial segregation, and white supremacy which ruled South Africa since the formation of the white government in 1910, led to racist violent laws and apartheid strategy in 1948. This discriminatory political system, after decades of struggle by Native Black people and under international sanctions` pressure, forcibly agreed to transfer the power in a free election in1994.

South African native people, after nearly three decades of political struggle, were able to regain their lost rights and start a new historical era for their country; however, in another part of the world, history is repeating. The racist policies in South Africa still exist on the earth, but this time in the historical land of Palestine, a long-time civilization. Palestine has been witnessing the Zionists` hegemony and harassment since the mid-twentieth century. The Zionists, according to the plans made by the British Empire, gradually traveled to this small land from different countries, mainly Western and Eastern Europe. They declared their political existence three years after the end of World War II in 1948; and called this newly-established country "Jews Promised Land". The history of Palestine after this event has been fraught with bloody conflicts and massive restrictions on Natives–Arabs, Muslims or Christians, and non-Zionist Jews–along with racist laws.

The unyielding Palestinian freedom struggles led to the creation of the Palestinian National Authority, the Islamic

Resistance Movement (Hamas) and other resistance groups. These Palestinian forces announced that they would not give up their struggles until the complete liberation of their homeland.

The book "Two Regimes, the Same Policies, The Same Destiny?" by Mr. Omid Rezaei, which seeks to compare the practices and laws of these two regimes, is a worthwhile endeavor. It is written to portray these two systems as clearly as possible, reveal their inattentions to human rights, and violating legitimate freedoms of the natives of South Africa and Occupied Palestine territories. In this book, the author compares policies dealing with land, education, economy, employment, and even individual privacy, such as marriage, among others. Each section provides invaluable information for younger generations unaware of the truth behind the establishment of these two regimes as well as those interested in international relations topics. The book is of high value for it deals with a relatively a subject in scientific circles in Iran, which has remained a lesser-known topic among the Iranian educated thinkers. Finally, thanks to Mr. Omid Rezaei's efforts in addressing this issue, I wish him success and invite other researchers to enter into similar realms capable of making new pages in human studies and international relations in Iran.

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Chapter One

Comparison Obstacles, Approach & Methodology

1

BACKGROUNDS

"I am a black South African, and if I were to change the names, a description of what is happening in the Gaza Strip and the West Bank could describe events in South Africa under Apartheid."

"Archbishop Desmond Tutu," 1989 (United Nations Division for Palestinian Rights report, 2005, p. 81)

The international community has identified three regimes as inimical to human rights colonialism, apartheid and foreign occupation. Israel is clearly in military occupation of the OPT (occupied Palestinian territories). At the same time elements of the occupation constitute forms of colonialism and of apartheid, which are contrary to international law. What are the legal consequences of a regime of prolonged occupation with features of colonialism and apartheid for the occupied people, the occupying Power and third States? It is suggested that this question might appropriately be put to the International Court of Justice for a further advisory opinion.

Professor John Dugard (Molavi, 2013, p. 101)

Apartheid was a system of institutionalized racial segregation, and discrimination in South Africa between 1948 and 1994 when was abolished. (Apartheid, Encyclopedia Britannica) During this period an ideology based on Afrikaner

Calvinism[2] built a white supremacy system that caused the repression of Africans, Coloureds, and Indians. The Apartheid regime was a period from 1948 to 1994 in the history of South Africa. This regime emerged when the National Party (NP) came to power with a narrow majority as a result of the 1948 general elections. (South African Democracy Education Trust, 2004, p. 2) On the other side, the Israel regime establishment was announced on May 14, 1948. At this time the United Kingdom lifted its mandate over Palestine and removed its troops from Palestinian cities. On the same day, the Jewish Agency (by David Ben-Gurion, the head of the Jewish Agency) announced the establishment of the Israel regime in the territories conferred by the division plan. (Declaration of Establishment of Israel regime, 14 May 1948) This regime has existed to this day. (United Nations report, 1990, p. 115) Applying discriminatory policies by the regime of Israel highly similar to those of the apartheid regime of South Africa has prompted several well-known figures to compare the two regimes.
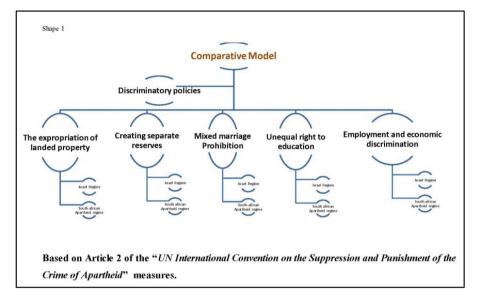
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2 Calvinism is a Christian theological reformist school based on a French philosopher and political and religious leader taught. He was a reformist Protestant in the 16th century that was invited to the Church of Geneva for religious reform in the 1541. Calvinism is a major branch of Protestantism beliefs. (Barry, 1908)

1. Comparison obstacles

Comparing discriminatory policies between the South African apartheid regime and the Israel regime requires attention to specific points taken into account in this study: Firstly, both sides, adversaries and opponents of these two regimes have their own reasons and justifications that are expected to be thoughroughly examined. However, reliance on international and neutral reports can be helpful in this regard. The second key point is the permanent change in the way discriminative policies are applied by these countries. Historical experiences have revealed that these governments constantly try to implement a single policy in a variety of ways or cover the truth by making some apparent alterations to escape international pressure. The third point to be addressed is the structural transformation of discriminatory policies in these regimes. The South African apartheid regime and Israel regime have gradually put their discriminatory laws and policies into force, and these gradual changes need to be a vital part of any comparison.

The next point to be noticed is considering both de jure and de facto discriminatory policies. Some policies are applied but are not officially endorsed in both governments. Some discriminations that have widely taken place are not within the legal framework of the states, which means they are not mentioned in statutory documents or has not been legally documented. In such cases, testimony of witnesses or reports from international organizations and Human rights entities can be beneficial.

It is also important that speaking of discriminatory policies in South Africa during apartheid administration, and Israel's Zionist regime, does not mean that the two regimes had no electoral systems or no laws dealing with human rights, but it suggests that both regimes have limited a wide range of benefits and legal rights to a particular section of their societies (Zionist Jews in Israel regime and Whites in South African Apartheid regime), while the other sections of their societies (especially people in occupied lands) are deprived of enjoying minimums of human rights.

Another important consideration in comparisons between these two regimes is that there are a variety of definitions for discriminatory policies among ethnic groups or races in Politics. The question is which one could be used as a proper diagnostic standards? It is crucial to have a clear definition of how to assess discriminatory policies in every country, but in the next step, we need to determine the examples of these policies in both case caoutries, i.e. the apartheid regime in South Africa and the Israel regime. This step may be a bit more complicated, therefore, employing a suitable methodological framework is needed.

2. Approach and Methodology

Shape 1

"Comparative research method," used in this book, is a well-known method in cross-cultural studies. Its main focus is on analyzing similarities and differences between different human societies. The comparative method to compare different societies has long been used in human studies, even in Ancient Greece, but it has widely been used since the nineteenth century by scientists in different human sciences in cross-cultural comparisons to achieve their scientific goals. This method is widely used nowadays even by well-known organizations like European Commission. European Commission has established several large-scale programs on social and economic studies in its member states. (Hantrais, 1995) For many sociologists this method has some general benefits:

Classification of social phenomena; examining if shared events can be explained by the same causes in different cultures; providing an analytical framework to compare and explain social and cultural differences in different societies; gaining a better understanding in studying different societies, their structures and institutions. (Hantrais, 1995)

For adopting this approach, it is crucial to have a clear definition of discriminatory policies based on international law, human rights and the UN Charter. In the next step, we need to identify examples of these policies in the case countries (the apartheid regime in South Africa and Israel regime) for later comparasion. This step may be a bit more complicated for several reasons.

An important section for comparing is that several terms have been used in political literature to describe discriminatory policies in different states, but which one has the components that can make it useful for comparing countries conducting discriminatory policies? In the first step, I listed these terms, and in the second step, examined which of these expressions have specific definitions and components by which these two regimes can be compared.

3.1. Definitions and Terms: Discriminatory Policies

The question on this step is by what terms discriminatory policies have been referred?

Indeed, Researchers have used several terms to analyze countries that apply discriminatory policies. The most important terms were "racial discrimination" and "segregation laws" and even countries called "Ethnocratic states" or "apartheid regimes."

These terms are defined by international conventions or scholars and social scientists. These presented definitions are different in some aspects, but there are also shared criteria that can help us evaluate and investigate discriminatory policies within the apartheid regime of South Africa and Israel regime in a way that a reasonable yet impartial comparison without any bias between these two regimes can be reached.

One of the phrases used in this field is "Ethnocratic states." "Mr. Yiftache", a well-known researcher, has been a pioneer in using the phrase. He defines the term as follows:

> *Ethnocratic states—such as Israel—are typified by (internal and external) colonial oppression of minorities, which invariably resist this oppressive order. This asymmetric dialectic tends to essentialize identities and polarize spatial and political systems. Examples of ethnocratic regimes include Serbia, Estonia, Latvia, Sri Lanka, pre-1989 Lebanon, and 19th-century Australia.* (Yiftachel, 2004, p. 647)

Another term used by the researchers in the political literature in this regard was "segregation." Segregation is defined by "European Commission against Racism and Intolerance" as:

"The act by which a (natural or legal) person separates other persons on the basis of one of the enumerated grounds without an objective and reasonable justification, in conformity with the proposed definition of discrimination. As a result, the voluntary act of separating oneself from other people on the basis of one of the enumerated grounds does not constitute segregation" (ECRI General Policy Recommendation N7, 2010)

The most significant historical periods for which the term has been used are the nineteenth and twentieth century, especially in American society. Back then, the so-called "Jim Crow Laws" were being applied. During those years, any form of socialization, and the marriage of different races would result in legal punishment in almost all states of the United States. Even though the penalties varied in different states and even in different cities, their common denominator was the so-called "Separate but Equal" slogan. This slogan could be traced back to the decision of the Supreme Court of America in 1896, which recognized racial segregation legitimate. The restrictions included every aspect of social life, including education and health. Companies and agencies were forced to separate customers based on their race, not being able to communicate with each other. "Whites Only" and "Colored" were seen everywhere in parks and other public places. The first action taken to remove these laws, following lots of protests and great

security conflicts, was the 1954 Supreme Court decision. At that time, the racial segregation was abolished in public schools and eventually by ratifying the 1964 Civil Rights Act, so these discriminatory laws were formally abolished. (Urofsky, 2017) But its impact still remains on the backwardness of the black community in the United States. (Alexander, 2012, p. 2)

Another term is Racial discrimination. "Citro" and "Dabady" in a report published by National Research Council defined racial discrimination as:

> *"(1). differential treatment on the basis of race that disadvantages a racial group and (2). Treatment on the basis of inadequately justified factors other than race that disadvantages a racial group (differential effect)"* (Citro, et al, 2004, p. 39)

The most famous and well-accepted definition of the term racial discrimination is the one in Article 1 (1) of "the International Convention on the Elimination of All Forms of Racial Discrimination," 4 January 1969. It defines "racial discrimination" as:

> *"any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."*

(The International Convention on the Elimination of
All Forms of Racial Discrimination, 1969)

The most widely-used term to describe discriminatory policies in the history of Humanities is the term "apartheid". The term apartheid is derived from the apartheid regime of South Africa. The literal meaning of apartheid is separation, but because of the characteristics of the South African apartheid regime, in addition to expressed pronouncements, it is also a reminder of colonialism. "Hendrik Verwoerd," South African Prime Minister (during the apartheid regime) and one of the main architects of apartheid in South Africa, defines apartheid differently. He says (in his interview):

> ***"Our policy is one which is called by an Afrikaans' word, apartheid. And I'm afraid that has been misunderstood so often. Perhaps much better be described as a policy of good neighborliness. Accepting that there are differences between people. But, while these differences exist, and you have to acknowledge them, at the same time, you can live together, aid one another, but that it can best be done when you act as good neighbors always do."***
> *(Verwoerd, 1995)*

Daryl Glaser, an Israeli regime critic, denines aparteid:

> ***"Apartheid is a combination of ethnoracial political domination, compulsory and unequal separation of ethnoracial groups across many spheres and a***

system of large-scale racial labour exploitation."
(Glaser, 2003, p. 404)

Dr Yiftachel, a critic of the Israel regime/Palestine issue, says:

"Apartheid' means a regime in which groups are forcefully segregated and treated unequally (de jure and de facto) by state regulation on the basis of their collective identities. Apartheid, like other regime types such as democracies, theocracies or dictatorships, has become a generic term and may differ in detail (though not in principle) from the infamous South African model." (Yiftachel, 2006)

One of the most authoritative documents defining the term "apartheid" is "The UN International Convention on the Suppression and Punishment of the Crime of Apartheid" in 1967. It defines apartheid as:

"Inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over another racial group of persons and systematically oppressing them."
(International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973).

3.2. Measurable Components

Article 2 of "UN International Convention on the Suppression and Punishment of the Crime of Apartheid" defines

the term and gives us criteria to detect an apartheid regime. An apartheid regime according to this convention can be distinguished as:

(a) denial to a member or members of a racial group or groups of the right to life and liberty of person:(i) by murder of members of a racial group or groups;(ii) by the infliction upon the members of a racial group or groups of serious bodily or mental harm, by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment;(iii) by arbitrary arrest and illegal imprisonment of the members of a racial group or groups;

(b) deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part;

(c) any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups, in particular by denying to members of a racial group or groups basic human rights and freedoms, including the right to work, the right to form recognized trade unions, the right to education, the right to leave and

to return to their country, the right to a nationality, the right to freedom of movement and residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;

(d) any measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of a racial group or groups, the prohibition of mixed marriages among members of various racial groups, the expropriation of landed property belonging to a racial group or groups or to members thereof;

(e) exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour;

(f) persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid.

(International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973, P. 245-246)

Therefore, the term which is closely related to our research goal is apartheid, as it provides a genuine and concrete interpretation of discriminatory policies, and in the next step, it

interprets certain criteria for measuring on the basis of accepted international conventions and can be our criterion for the comparison between the South African apartheid regime and the Israeli regime. Due to the limitations of this book in examining all factors of the apartheid term, we can only consider some of them.

Chapter Two

Historical, Religious, and Identical Background

2

BACKGROUNDS

There are always historical, religious, and identity factors behind the formation of an apartheid political system. It is crucial to identify the factors pushing a regime to implement discriminatory policies against a certain religioous or racial minority. Studying these factors in the South African apartheid regime and in the Israel regime can illustrate the historical development of such policies in the two countries. There are many similarities in this regard between them, which should be taken into consideration.

Discriminatory policies against blacks were in place in South Africa long before the apartheid regime, but researchers considered the victory of the South African National Party in the 1948 election (the beginning of the apartheid regime), as an important turning point in the implementation of these policies. Indeed, South African anti-apartheid leaders such as "Nelson Mandela" have repeatedly emphasized that there had been a long-standing policy of discriminatory treatment against blacks, but 1948 was the time of creating a coherent and integrated set of policies and regulations which blocked anyway for blacks to counter these policies. (Mason, 2004, P. 191)

On the other side of our comparison, the situation was the same. On May 14, 1948, the United Kingdom lifted its mandate over Palestine and its troops. On the same day, the Jewish Agency announced the establishment of the Israel regime in the territories conferred by the UN division plan. The Declaration of Independence was signed by the Israeli activists on May 14, 1948, simultaneously with the end of the British mandate in Palestine. This day is considered the birthday of Israel regime. (Reich, 2008, p. 43-44)

Immediately the fire of intense hostilities flared up between Zionist gangs and Arab groups. The following day, the Army of the neighboring Arab countries entered the territory to help Palestinian Arabs. Approximately 750,000 Palestinians were displaced from their lands, as a result of the war. (Akasaka, 2008, p. 7-14) (United Nations report, 1990, p. 115-116)

1. Immigration

The competition between indigenous, immigrants and settlers has always been an important factor in blacks and whites conflicts in South Africa as well as those of the Arabs and Zionist Jews conflicts in Palestine.

In order to address the issue of immigration, first, we have to know immigrants. In South Africa, the challenge was between the indigenous blacks and the white immigrants. In the Palestine conflict, the challenge is also between the Jewish immigrant population and indigenous Arabs. As the goal of the book is to compare discriminatory policies against the Arabic

race in Palestinian territories with the same policies against the black race in the South African apartheid regime, these terms must be defined. There is no need to explain further about whites and blacks in South Africa, as there were apparent criteria for distinguishing them. But the terms of Arabs and Jews need to be clarified. The indigenous people of the Palestinian Territory were often Arabs. The term "Arab" here refers to and includes all indigenous people of Palestine of Arabic race, regardless of whether they are Christian or Muslim.

But what about Jews? The term Jew can be studied from two perspectives: as a religion and at the same time, as a race. In spite of the blood relationship of the Jewish people with each other and due to their dispersal across the globe, they have different physiological characteristics. Although they are mostly white, some Jews are also black. At first, the statement of the establishment of the Israeli regime, as well as official laws passed by Knesset (parliament), regards this regime to be the homeland of all the Jews of the world. And second, the legal procedure of recruiting immigrants to this regime includes secular Jews (some Israeli surveys shows that the half of the Jews in Israel regime are secular, some data bases reports up to 67%). (Bassok, 2010) For these reasons, our comparison in this book is based on the Jewish race, not the Jewish religion, and any referrence to the term "Jews," means the Jewish race. Pew Research Center recent survey showed nearly all Israeli Jews identify with one of four categories: Haredi or "ultra-Orthodox," Dati or "religious," Masorti or "traditional" and Hiloni or "secular." It also showed that Secular Jews' understanding of

their Jewish identity is primarily based on ancestry or culture than beliefs and practices. (Sahgal, et al, 2016, pew survey). It is very important to know that some Jews living in the Israeli regime view their Jewish identity as a matter of culture, heritage, nationality, or ethnicity. (Rich, 2010) Halakah (rabbinic tradition) emphasizes that a person can be a Jew only by birth. In their Opinion, Jewishness is a racial or ethnic issue, a matter of Jewish blood. A Jew must be born to a Jewish mother (cf. Lev. 24.10; Deut. 7.1-5). But there are some reformists who believe that even a person born to a Jewish father can also be a Jew. (Mayes, 2012, Chapter 3)

An examination of the immigration issue indicates another angle of the historical roots that led to discriminatory policies in these two regimes. The wave of White migration in South Africa started in 1488 when "Bartolomeu" Dias" landed where is called now "Mossel Bay." The migration continued and led to the cape colony's establishment on April 6, 1682, by "Jan Van Riebeeck" from the Dutch East India Company. The second wave of migration began in the 18th and 19th centuries. As a result, the estimated population, which was about 4,500 in 1750, reached 43,000 in 1820. (Appiah, Gates, 2010, p. 411-413)

"Afrikaners" [3] had created their own identity in the region and didn't bear that other whites migrate to this area. The

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3. Afrikaners are mostly composed of the descendants of the first Dutch and French who settled on the South African cape started from 1652. (Abdi, 1999, p. 148)

migration was not the only factor in the proportion of the population, Due to the black`s high growth rate, the percentage of white people in South Africa fell in comparison to the native backs, even during the time of the apartheid regime, and even continues up to now.

The South African apartheid government, when arrived in power in 1948, considered the policy of encouraging whites to emigrate to South Africa. The government even subsidized white immigration to maintain the percentage of the white population against the blacks. At the time, the fertility rate of whites was equal to their death rate. It was dangerous for the government gaining power with the notion of Whites superiority. (Kok, 2006, p. 99)

In general, the migration flow in South Africa and Palestine varies. Large Jews' immigration to Palestine played the lead role in forming conflicts and laying the groundwork for the Zionist regime formation. So what to be noticed first is the Jewish immigration in Zionist discourse. The term "Aliyah" is a Hebrew origin word that means "go up" and refers to Jews' immigration from their native countries all over the world to what is called "homeland" or "Promised Land." Hiring this term as an influential technics by Zionist movement activists, helped them to move Jews from their real homes, and sends them to the Palestinian seized territories. (Silver, 2007, p. 128)

From the time of the Israel regime's establishment in 1948, more than 3 million Jews have been moved to Palestine. (Branovsky, 2008) Not only Jewish Zionists, but also the Zionist

Christianity movement, considers the Jews' migration flow as an important factor to form a Jewish state, and all as a part of the God promises in the Old Testament[4]. (Shapiro, 2015, p. 58)

Migration is a critical matter in the Zionism discourse. The Zionist movement played an important role in encouraging Jews to migrate to Palestine by using the propaganda of restoring Jews to the Promised Land. The use of Jews in the Torah's term as "Aliyah" indicates how influential the Zionist interpretation of Judaism was in shaping the conflicts in Palestine. The Zionist movement's claim that Palestine was the land of Jews, by no means, is in line with reality. How does Zionism justify? According to Israeli regime defenders` belief, because Jews had formed a local kingdom in a part of today Palestine territory about 9 to 10 centuries BC called "Judea," the land of Palestine

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4. The Old Testament is Jews Holy books. Christians have accepted these books and publish them as the first part of the two sections of Bible. The Old Testament is the name that Christians have given to this books. The Old Testament also includes the Torah (the first five books of the Old Testament). The common versions of the Old Testament consist of 39 books. (Merk, Catholic Encyclopedia,1912) The New Testament is the second part of the Bible which is accepted only by Christians, and the Jews do not consider it to be valid. This section also includes various books and essays. Christians refer to The New Testament as part of the Bible, which deals with the life of Jesus and his followers. The four gospels are said to be four books written after the crucifixion (according to Christians) of Jesus Christ written by four of his apostles. These four books include four different narratives of the life of Jesus Christ, which are: Matthew, Mark, Luke, and John. (Durand, Catholic Encyclopedia,1912)