

**The Israeli Regime of *Hafradah*  
(Separation in English and Apartheid in Afrikaans)**

**Hassan Jabareen\***

This essay was originally published in *Fasl al-Maqal* in Arabic on 11 April 2008 to mark the first anniversary of the political exile of Dr. Azmi Bishara.

Today one may identify, through a probing reflection on the past, a conspicuous and clear shift in the manifestation of racism in Israel, one which finds expression in the fact that Israel previously practiced its racism, until several years ago, with no official, direct laws. This was one of the factors that distinguished Israel from the Apartheid regime (of racial segregation) in South Africa, which was laid bare by its incorporation directly into law.

In the occupied West Bank today there is Apartheid, by all standards, despite the fact that, officially speaking, there are no laws supporting the policy of apartheid. For example, there are Apartheid roads in the West Bank and checkpoints solely set up for Palestinians, while by contrast, Jews enjoy freedom of movement. These policies are not established or written in law whereas under Apartheid, such policies were incorporated in clear laws.

In this context, we can perceive that today we have entered into a new stage, one in which Israel is displaying willingness to adopt directly racist laws. First and foremost among these, as we have seen, is the law banning family unification between Palestinians from either side of the Green Line. The cases of Dr. Azmi Bishara and the National Democratic Assembly party (NDA), from 1995 onwards, and the aforementioned new law, give us an idea of the transformations that have taken place in the Israeli arena.

Regarding the former, the first case dates from 1995, when motions were filed to the Registrar of Political Parties to prevent the registration of the NDA as a political party. The Registrar, however, rejected the motions and decided to register the party. In 1999, right-wingers filed a further disqualification motion following an interview held with Bishara by the Israeli Hebrew-language *Ha'aretz* newspaper, in which he spoke about Israeli Jewish nationalism as starting after the establishment of the State of Israel and not before, and thus asserting that prior to 1948, it was difficult to speak of a Jewish nation or people. However, Attorney General Elyakim Rubinstein opposed the motion and Bishara and the NDA ran for and were elected to the Knesset. In 2001, AG Rubinstein himself filed two criminal indictments against Bishara, with the assistance of the General Security Services (GSS or the *Shabak*), and at the time acknowledged that information from the GSS formed the basis of his allegations in the indictments. In 2003, the Attorney General and the GSS submitted a further motion to prevent Bishara and the NDA from being nominated to the Knesset. A majority of 7-4 justices of the Israeli Supreme Court rejected this request.

Thus, before the year 2000 the political persecution of Bishara and the NDA was undertaken by Israel's right-wing civil society. The shift that took place in the year 2000 is that the judicial and security establishments began themselves to hound the NDA and Bishara, and on more than one occasion the Supreme Court permitted the GSS to wiretap Bishara's telephone and listen to his conversations.

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\* Hassan Jabareen, Advocate is the Founder and General Director of Adalah.

This development and escalation occurred due to the emergence of a new Israeli strategic regime, called *Hafradah* or “separation” in English and Apartheid in Afrikaans, which aims to redefine the Jewishness of the state. Once Israel had completed its project of expansion and establishing control over historic Palestine, it found that it had become impossible to carry on in this state of permanent control. Israel began to search for a settlement founded on the basis of national, racial segregation in historic Palestine. Accordingly, it began construction of the racist separation wall, the ring-roads encircling Jerusalem, and the Apartheid roads in the West Bank, in addition to cutting the West Bank off from the Gaza Strip.

The policy of racial segregation has taken another form and mode inside the Green Line, in view of the fact that Israel is unable to build a wall, ring-roads or Apartheid roads, for example, within the Green Line. As a result it is resorting to the policies of voiding the Green Line of its Arab character and Palestinian identity and demanding loyalty to the Jewish State.

The policy of racial segregation is now directed against Palestinians within the Green Line, based their separation from the Palestinians in the Occupied Palestinian Territory. The policy relies on laws banning family unification and prohibiting visits to Arab countries that Israel defines as “enemy states”, the latter of which are also known as the “Bishara laws”. It even involves the banning of the most basic exchange of services between Israel and the occupied West Bank, of which the recent law forbidding the repair of Israeli cars in the occupied West Bank is an example. In all of this we see racial segregation *par excellence*. The “loyalty” of which we speak is reflected in the demand made by the establishment of Arab citizens to serve the state through what is known as “national service”, as well as the demand issued to the Arab leadership to give this plan their blessing and not obstruct it. New bills have also been introduced in the parliament that demand loyalty to the Jewish State from Arab Members of Knesset, and that grant authority to the Minister of the Interior to revoke the citizenship of a person who does not practice loyalty to the Jewish State. This legislation can be considered a reformulation of the Jewish State, which appears to be working against and persecuting the presence of Arabs ideologically.

Today, the Jewish State is not a state that wishes merely to realize the right to self-determination of Jews, but is also striving to attack the Palestinian Arab identity inside the Green Line. This is not to say that the state has not previously been hostile to the Palestinian Arab identity, but that the hostility of today has assumed a new, different and legal form: in the past we represented a security crisis for the State of Israel, but today we constitute an ideological crisis for it and laws have become an ideological expression of this crisis.

From this perspective, the political harassment of Bishara was launched as a result of the ideas that he espouses, and in particular that of “the state of all its citizens.” This concept is antithetical to the policy of “racial segregation”, and by definition contradicts the definition of the state as Jewish and democratic. Clearly, “the state of all its citizens” is in direct conflict with the state’s new policy of *Hafradah*, which is based on separation between Palestinians and Jews on the one hand, and the separation of Palestinians from Palestinians depending on where they live in historic Palestine and surrounding countries on the other. Moreover, “the state of all its citizens” confirms connectedness between Palestinians within the Green Line and the Arab nation as a natural right, given that they are citizens and the indigenous population of the country. This, of course, contradicts the redefinition of the Jewish State, given that this redefinition negates the possibility of emphasizing the Arab identity and the Palestinian identity of the Arabs inside the Green Line.

Why then, we ask ourselves, does the NDA not consider expanding the concept of “the state of all its citizens” and developing it in the direction of a demand for the establishment of a democratic regime for all citizens in historic Palestine, even if there are two states in the future? A democratic regime must respect the rights of all, such as freedom of movement and the rights to residence and employment within historic Palestine, which would, naturally, include the Right of Return. Such a democratic regime could provide all its citizens with something resembling the regime of the European Union, as it would guarantee democracy and freedom of movement to its citizens despite the large number of states and nationalities within it. Such a proposal would be able to transcend the debate over the one or two state solutions, and would also provide a political response to the policy of racial segregation in historic Palestine. This is not new; three recently-published, pivotal, articles written by Bishara on the subject of historical choice confirm this approach to developing and expanding the concept of “the state of all its citizens”.