

Zionism and Israel's Nation State Law: Formally Establishing Apartheid¹

In July 2018, Israel adopted a “nation state” law officially declaring Israel to be “the national home of the Jewish people” and asserting the claim that “the right to exercise national self-determination in the State of Israel is unique to the Jewish people.” Passed as a so-called Basic Law, which gives it the status of a constitutional provision (Israel has no constitution), the law also declares that “the Land of Israel”—meaning the entire biblical land claimed by Jews, from the Mediterranean to the Jordan River—is “the historical homeland” of the Jewish people; this constitutes a claim to all Palestinian lands, even beyond Israel's 1967 borders.²

The two million Palestinian Arab citizens of Israel, constituting 20 percent of the state's population, retain their Israeli citizenship under this law, but their status is formally subordinated to that of Jews, and any right to self-determination is foreclosed. Israeli officials have made it clear that Israel is not, like most countries, a state of its citizens but is the state only of the Jewish people.³ The additional five million Palestinians living under Israeli control in the occupied territories (the West Bank, East Jerusalem, and Gaza) have no citizenship and no political rights.

Although Jewish supremacy and ordinary laws privileging Jews over Palestinians have been de facto realities under Israel's Zionist system since the state's establishment in 1948, this new statute makes apartheid a matter of constitutional law. As a foundational constitutional law, it is far broader and more all-encompassing than the Jim Crow system of local laws that enforced segregation in the US South until the civil rights era in the 1960s. Moreover, Archbishop Desmond Tutu and many other Blacks who lived under South African apartheid until it was overturned in 1990 have testified repeatedly, even before Israeli apartheid was formalized in law, that the Israeli system of separation was much harsher than the South African system.

This law can be characterized as the second of two seminal events that together bracket Israel's expanding control over all of Palestine and that stand as irrefutable markers of Zionism's⁴ long-term colonialist intent to destroy the Palestinian people as a unitary community in their own land. The first of these markers was the deliberate expulsion of 750,000 Palestinians, over half of Palestine's Arab inhabitants in 1948, when Israel was established as a Jewish-majority state in more than three-quarters of Palestine.⁵ Seventy years later, the nation state law is the second marker, the closing bracket, that legalizes Zionism's quest. The Trump Administration's “Peace to Prosperity” plan issued in early 2020 essentially gives the US seal of approval to that quest.

¹ See the Glossary page for a definition of apartheid and how this term applies to Israel.

² Raoul Wootliff, “Final text of Jewish nation-state law, approved by the Knesset early on July 19,” *Times of Israel*, <https://www.timesofisrael.com/final-text-of-jewish-nation-state-bill-set-to-become-law/> (July 19, 2018).

³ Prime Minister Benjamin Netanyahu has been quoted as stating explicitly that Israel is not a “state of all its citizens.” See “Benjamin Netanyahu: Israel is a state ‘only of the Jewish people,’” *Al Jazeera*, <https://www.aljazeera.com/news/2019/03/benjamin-netanyahu-israel-state-jewish-people-190311092510577.html> (March 11, 2019).

⁴ See the Glossary page for a fuller description of Zionism and how this political system governs Israeli policy.

⁵ Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications, 2006), and other Israeli historians have documented this ethnic cleansing on the basis of declassified Israeli archives.