

APARTHEID IN ISRAEL/PALESTINE

Sponsors: John Heermans, Reverend Craig Smith, Neil Richardson, Mickie Richardson

Resolved, that in light of the passage in Israel of the 2018 Nation State Law that grants self-determination exclusively to the Jewish people, the 188th Convention of the Diocese of Vermont submit the following resolution to the 80th General Convention of The Episcopal Church:

Resolved that, the House of _____ concurring, the General Convention of The Episcopal Church, acknowledging our continuing struggle in the United States to achieve racial equality, recognize that the State of Israel has passed laws that discriminate against its non-Jewish citizens, particularly Palestinians, and that its military occupation of East Jerusalem and the West Bank and blockade of Gaza impose prejudicial treatment of Palestinians and privilege Israeli settlers, contravening international law and human rights; and be it further

Resolved that the General Convention recognize that these discriminatory laws and treatment correspond to the definitions of apartheid elaborated in the International Convention on the Suppression and Punishment of the Crime of Apartheid and set out in the Rome Statute of the International Criminal Court; and be it further

Resolved, that the General Convention affirm that apartheid is antithetical to the Gospel message and to our Baptismal Covenant to “strive for justice and peace among all people and respect the dignity of every human being;” and be it further

Resolved, that the General Convention of The Episcopal Church call on the U.S. government to withhold military funding from the State of Israel until Israel eliminates apartheid laws, respects Palestinian human rights, and stops violating international law.

Explanation

The enjoinder in the Hebrew Scriptures, “Thou shalt love thy neighbor as thyself” (Lev.19:18), is repeated by Jesus in the Gospels (Mt.19:19, 22:39; Mk. 12:31; Lk. 10:27), and reinforced in the Epistles (Rom. 13:9; Gal. 5:14; Jas. 2:8). As Christians mindful of our Judaic heritage, we must be guided by this commandment as we confront systemic discrimination against any group of people.

The crime of apartheid is codified in international law. Article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid summarizes apartheid as “an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.” (See <https://treaties.un.org/doc/publication/unts/volume%201015/volume-1015-i-14861-english.pdf>.) This definition is essentially repeated in the 2002 Rome Statute of the International Criminal Court. (See Article 7 Crimes against Humanity, paragraph 2(h) https://legal.un.org/icc/statute/99_corr/cstatute.htm)

When Palestine was partitioned by the United Nations in 1947 to establish a Jewish and an Arab state, Palestinian Arabs made up two-thirds of the total population of Palestine and owned 90% of the land. Nonetheless, the Partition Plan allocated 54% of the land to the new state. By the time the armistice was decreed in 1949, the State of Israel had assumed possession of 78% of the original Mandate Palestine. Some 750,000 Palestinians had fled or been driven from their land, many carrying keys to the homes to which they expected to return.

Palestinians who remained within the boundaries of the new state after the ethnic cleansing of 1948 were eventually allowed to become citizens. Almost immediately, the Knesset, the new Israeli legislative body, began to pass a series of laws that ensured a continuing Jewish majority and legalized discrimination against non-Jewish citizens, particularly Palestinians. These included the Law of Return, the ban on family unification, and some fifty laws regarding marriage, housing, security, land and planning, citizenship, political representation in the Knesset, education and culture. Most recently in 2018, the Israeli Knesset passed the Nation State Law, which states that “the right to exercise national self-determination” in Israel is “unique to the Jewish people”, establishes Hebrew as Israel’s only official language, and establishes “Jewish settlement as a national value” which the state “will labor to encourage and promote.” (See <https://knesset.gov.il/laws/special/eng/BasicLawNationState.pdf>) Because Israel has no constitution, this so-called Basic Law has the status of a constitutional provision.

The system of control that Israel operates in the occupied West Bank has characteristic apartheid attributes. Israeli Jews residing in the settlements in the Occupied Territories live under Israeli civil law. In contrast, Palestinians are subjected to an arbitrary and discriminatory military regime distinguished by the West Bank barrier fence/wall; an electronic ID system; Israeli-only settlements reached by roads restricted to use only by Israeli settlers ; permanent and “flying” checkpoints; a racist marriage law; and inequities between Palestinian residents and Jewish settlers in infrastructure, legal rights, and access to land, water, and other resources. Some two thirds of Palestinian men have been detained in Israeli prisons where torture, lack of access to lawyers, and detention without charge or trial are standard practice. Yearly some 700 Palestinian children under the age of 18 are ripped from their homes in the middle of the night, denied contact with their parents or legal counsel, physically and psychologically abused, and often forced to sign confessions in Hebrew, a language most do not understand.

In 2009 the government of South Africa commissioned a fifteen- month study by an international team of legal and human rights scholars to examine the question: *Do Israel’s practices in occupied Palestinian territory, namely the West Bank, East Jerusalem and Gaza amount to the crimes of colonialism and apartheid under international law?* The study concluded that “Israel, since 1967, is the belligerent Occupying Power in occupied Palestinian territory, and that its occupation of these territories has become a colonial enterprise which implements a system of apartheid.” (The full study is posted at: http://www.hsrc.ac.za_Media_Release-378.phtml)

On March 10, 2014, *The Jerusalem Post* quoted Anglican Archbishop Desmond Tutu as he compared the conditions of Palestinians with those of South Africans under apartheid:

I have witnessed the systemic humiliation of Palestinian men, women and children by members of the Israeli security forces...Their humiliation is familiar to all black South Africans who were corralled and harassed and insulted and assaulted by the security forces of the apartheid government. (See <https://www.jpost.com/diplomacy-and-politics/desmond-tutu-israel-guilty-of-apartheid-in-treatment-of-palestinians-344874>)

In 2021, in a detailed 213 page report [A Threshold Crossed: Israel Authorities and the Crimes of Apartheid and Persecution](#), Human Rights Watch examines Israel's treatment of Palestinians and the present-day reality of a single authority, the Israeli government, ruling primarily over the area between the Jordan River and the Mediterranean Sea, populated by two groups roughly equal size, and methodologically privileging Jewish Israelis while repressing Palestinians, most severely in the occupied territory.

Also, in 2021 B'Tselem, the Israeli Information Center for Human Rights have declared: *The Israeli Regime enacts in all the territory it controls (Israeli sovereign territory, East Jerusalem, the West Bank, and the Gaza Strip) and apartheid regime. One organizing principle lies at the base of a wide array of Israeli policies: advancing and perpetuating the supremacy of one group - Jews - over another - Palestinians. B'Tselem rejects the perception of Israel as a democracy (inside the Green Line) that simultaneously upholds a temporary military occupation (beyond it). B'Tselem reached the conclusion that the bar for defining the Israeli regime as an apartheid regime has been met after considering the accumulation of policies and laws that Israel devised to entrench its control over Palestinians.*

In July 2021, the General Synod of the United Church of Christ overwhelmingly condemned Israeli Apartheid, becoming the first mainline denomination to use the term (<https://www.ucc.org/synod-delegates-approve-resolution-decrying-oppression-of-palestinian-people/>). The action was likened to the stand the UCC took against South African Apartheid. Israel's Apartheid was termed a sin against God and God's children. The extensive complicity of the U.S. government in supporting Israel's oppression of the Palestinians was identified as a further reason that American churches are called to speak out.

The Episcopal Church has a history of opposing apartheid. The 68th General Convention adopted a resolution calling for an unambiguous, coherent policy in opposition to apartheid in the Republic of South Africa (D029 – 1985).

In view of the overwhelming, irrefutable evidence that Israel's continuing subjugation of the Palestinian people is, without any doubt, apartheid as defined by International Law, the Episcopal church must adhere to its baptismal vows and condemn the apartheid policies of Israel and call on the US government to withhold all aid from Israel until the Palestinians are treated as equal citizens with full access to movement, water, electricity, education, housing and health.