

# African Journal of Peace and Conflict Studies

ISSN (Print) 2634-3657 (Online) 2634-3665

Indexed by: IBSS, EBSCO, ProQuest, COPERNICUS, J-Gate  
and Sabinet

Volume 14 Number 1, April 2025

Pp 129-156

## Apartheid in Palestine and South Africa: The Case for a One-State Solution

DOI: <https://doi.org/10.31920/2634-3665/2025/v14n1a5>

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### Abstract

This study delves into the apartheid regime in Palestine, the country under occupation, and the intricate ties between the United States of America and the settler colony of Israel. The paper examines the colonisation of Palestine through settler colonialism by analysing the forms of apartheid including the violations of international laws. The study employs a documentary research method to systemically examine data on colonial and postcolonial struggles. The paper contends that the USA, motivated by its security interests in the region, has strategically influenced the political instability in the Middle East and the illegal occupation of Palestine. The viability of the two-state solution is challenged, the paper proposes an alternative path of a one-state solution, to foster a more peaceful and stable society and advocates for integrating the Palestinian population into the region under equal citizen rights. Thereby, dismantling the nature of the settler colony as an ethno-theocratic state and fostering a democratic and inclusive nation.

**Keywords:** *Apartheid, One-State Solution, Palestine, Political Instability, Settler Colony, Postcolonialism*

## **Introduction**

Herewith, 'Israel' is referred to as the settler colony of Israel. Settler colonialism is the dispossession of native inhabitants with a new settler society through mass migration, the development of an independent national identity, and the exploitation of the indigenous population (Lefevre, 2015; Osman, 2022). Settler colonialism attempts to replace the indigenous population as part of its colonial dimensions (Busbridge, 2017). In settler colonial studies, Palestine has become an increasing point of research and scholarly interest. Historically, colonial legacies are known to impact indigenous people through socio-economic and political spheres alongside oppression, dispossession and injustice (Busbridge, 2017). Settler colonialism constructs an identity that is firmly anchored in indigeneity, necessitating violence, belligerence and military reliance, and one that highlights settler colonial domination over the “weak” indigenous populace (Veracini, 2011). Wolfe (2006) suggests that to displace and marginalise the indigenous population, settler colonialism manipulates and polarises discourses about race, ethnicity, religion, and civilisation. Collins (2011) posits that Palestine holds a messianic relevance within the broader global resistance against colonialism and imperialism. He contends that, as Palestine gains global prominence, there is a corresponding process of a ‘Palestinianised’ world, alluding to international military and surveillance technologies exportation once tested on Palestinians. In terms of decolonisation, two possible decolonisation outcomes for the indigenous population are described, i.e., either the group is free from colonial rule and has complete sovereignty and self-determination, or the group negotiates a treaty with the colonial rule that permits normalcy among the two (Veracini, 2011). The paper introduces a comprehensive outlook, challenging the two-state solution. A brief historical account is provided, followed by a discussion of the theoretical framework and research methodology. It then provides context followed by analysis and conclusion, limitations, and recommendations.

### ***The History of Palestinian Dispossession***

The Sykes-Picot Agreement of 1916 (Berdine, 2018), crafted by major European powers, including the United Kingdom, France, Italy, and Russia, aimed to partition the Ottoman Empire in the Middle East, disregarding promises made to the Arabs. This treaty facilitated the

British Mandate of Palestine (Milton-Edwards, 2018). The Balfour Declaration in 1917, which endorsed the establishment of a Jewish homeland in historic Palestine, was presented to the British government a year later (Hammond, 2017; Shlaim, 2005). This decision, supported by Zionists and the West, was made without consulting the indigenous Palestinian population (Loewenstein & Moor, 2013). Despite objections and concerns from British government members, the imperial domination of the Suez Canal, was a motivating factor to implement the declaration (Stephens, 2021). Palestinians protested this decision, fearing the grave consequences if Palestine was assigned to Zionists (Beinin & Hajjar, 2014).

Judaism and Zionism must be distinguished, where Zionism is a political ideology governing the settler colony of Israel, while Judaism is a religious faith guided by the Torah and Talmud (Vattimo & Marder, 2013). Zionism, founded in the late 1800s by Theodore Herzl (Osman, 2022), referred to as atheist (Friedman, 2004; Keramati, 2006) by some and agnostic (Penslar, 2020) by others, promoted the belief that God promised Palestine to the world Jewry. Anti-Zionist, Orthodox Haredi Jews oppose the settler colony's establishment as it goes against religious beliefs (Shah, 2021). Zionists argue their interpretation of the religious text as settling in the land 'before' the coming of the Messiah (Shah, 2021) and using its ultranationalist movement to establish a homeland in historic Palestine (Salamanca et al., 2012). Moreover, Zionism can be understood as an outgrowth of colonialism, characterised by the "silent infiltration" of Zionist Jewish settlers into Palestine (Salamanca et al., 2012), contributing to the far-reaching consequences of Western imperialism. Despite opposition from prominent rabbis (Hirsch & Hirsch, 2015; Keren-Kratz, 2017; Massad, 2003; Rabkin, 2011), Zionist guerrilla groups orchestrated large-scale massacres (Khalidi, 2014; Pappe, 2007b), the annihilation of hundreds of Palestinian villages (Davis, 2011) and the expulsion of over 700 000 Palestinians – known as *The Nakba* (Nashef, 2018) i.e., Catastrophe. The Nakba was followed by the displacement of more than 300,000 in 1967 – known as 'The Naksa' (Nashef, 2018) i.e., *The Setback*. Since then, Palestine has experienced the displacement of its people, massacres, exile, mass population transfer (ethnic cleansing), bombardment, systemic racism and land confiscation. The occupation has been the direct cause of war, uprising and resistance (Greenstein, 2020).

## **Theoretical Framework**

A theoretical perspective provides an approach to understanding the data findings and analysis (Varpio et al., 2020). To understand the history as well as current climate, and provide an intervention stemming from existing information, settler colonialism as a theoretical construct was used to frame this study. This analysis explores settler colonialism, which is distinct from traditional colonialism (Wolfe, 2006). Settler colonialism focuses on displacing and eradicating the indigenous and native population by replacing them with a settler society which then dominates the land (Busbridge, 2017; Veracini, 2011). The study further rejects social Darwinism (Kaye, 2017) that disregards equality, human rights and justice and leads to a lack of empathy and compassion. The Zionist movement in historic Palestine has actively participated in the systemic dispossession of the Palestinian population by establishing a Jewish supremacy over the land (Pappe, 2007b). Similar to apartheid South Africa (SA) and the colonisation of the Americas, the settler colony of Israel, too, is structured around maintaining dominance and control, segregation, hierarchies and Jewish supremacy (Pappe, 2007b).

Since Palestine is currently experiencing active colonisation (Sayegh, 2019), settler colonialism is thought to be the most appropriate theoretical framework, offering comprehension of the ongoing land confiscation, population transfer, and struggles for autonomy through resistance in Palestine. Systemic apartheid still exists in Palestine (Khalidi, 2020), in contrast to SA, which has achieved freedom and dominion. The one-state option is analysed as a decolonial intervention that would overthrow the apartheid regime and usher in democracy via the settler colonial theory.

## **Research Methodology**

A documentary research method to examine colonialism and the post-colonisation resolution of a one-state solution is adopted (Scott & Marshall, 2015). This qualitative method aids in analysing current data such as literature and historical facts. Data collected thereof comprise academic work on colonialism, such as apartheid and Palestinian history; legal and international work, such as evidence from the United Nations (UN) and others; and historical evidence, such as the Balfour Declaration. Diverse and comprehensive perspectives from eminent scholars in the fields of colonial and postcolonial studies, including Awad

Farouk-Alli (2007), Edward Said (1977), Lorenzo Veracini (2011), Patrick Wolfe (2006), Rashid Khalidi (2020) and others (Bakan & Abu-Laban, 2010; Busbridge, 2017; Kuokkanen, 2020; Lefevre, 2015), were consulted. These scholars provided in-depth insights into Palestine's history, including settler colonialism, colonial and postcolonial realities, and the struggle for independence. Qualitative content analysis was used and the data was categorised under themes through thematic analysis (Nowell et al., 2017). The documentary research method allows for a critical examination of Palestine's colonisation and its mediation via a one-state alternative.

### **A Perspective on Repression**

In 1948, Palestine witnessed the Nakba, while SA saw the onset of apartheid (Dubow, 2014). Before 1948, European colonisers in SA displaced the indigenous Khoi-San populations with settlers, imported black slaves, as well as Asian workers, and implemented discriminatory laws based on socioeconomic status, race, interracial marriages and relations, and recreational activities (Glücksman, 2010; Van Wyk, 2016). There were disparities in the education system, facilities (e.g., sanitation), expenditure, health (e.g., malnourishment and mortality), policy, family unity and employment. Certain Asian groups were classified as “honorary whites” due to diplomatic ties (Park, 2008). Segregation of the non-white population into 'Bantustans' under the tribal homeland system was implemented. Once areas were declared "whites-only," forced evictions without compensation occurred, leading to separate political rights for racial groups (Ally & Lissoni, 2017). The Palestinian population too has been confined to areas, as they are seen as a ‘demographic threat’ to the social fabric of the settler colony.

Following the Sharpeville Massacre, the African National Congress (ANC) formed ‘uMkhonto we Sizwe’ (MK – Spear of the Nation) as its military wing to oppose the apartheid regime (Simpson, 2016). Despite initially advocating non-violence, ongoing discrimination led MK to adopt violence. The apartheid government sourced arms from the settler colony of Israel to sustain its oppression. MK's actions were often branded as terrorism, accused of aiming to eliminate the white population, resulting in civilian casualties. Nelson Mandela, MK's leader, remained on the US terrorist watch list until 2008 due to his involvement in guerrilla warfare (Saunders & Limb, 2020). Mandela expressed that peaceful approaches were futile against a government which responded

with violence (Madrigal, 2013), emphasising the moral imperative for justice, freedom, and peace. This highlighted the conflict between moral principles and legal limitations when non-violent methods were ineffective in a violent environment. Consequently, there was an escalation in police brutality and civil disobedience, leading to guerilla attacks, including explosions, rocket attacks, detentions, shootings, and hostage-taking (Saunders & Limb, 2020).

Additionally, the Pan-Africanist Congress (PAC) with its military wing, Azanian People's Liberation Army (APLA), had underground cells and conducted armed robberies for weaponry funding, killing and injuring civilians in the process. Due to international pressure and sanctions, the apartheid government was forced to reconsider its stance on the ANC and PAC (Saunders & Limb, 2020). Ultimately, both parties were unbanned, leading to the release of political prisoners like Mandela. Despite the "divide and rule" tactic prolonging exploitation, it could not erase liberation consciousness. Regarding the Palestinians, a group of 21 human rights activists, including Jewish descendants, visited the West Bank in 2008. They described the conditions faced by Palestinians as apartheid and "more severe than anything we endured [in SA]" (Beinin & Hajjar, 2014).

## **United States Imperialism**

Imperialism denotes a nation's expansion into foreign territories, exerting control over economic, cultural, and political aspects (Saccarelli & Varadarajan, 2015). The US has historically practised imperialism (Burns, 2017), employing economic, political, and military strategies to extend its influence globally. Critics argue that such actions can exploit weaker nations and interfere with their internal affairs (Briggs, 2002; Parenti, 2015). The US has supported undemocratic regimes in the Middle East to serve its interests (Byman & Moller, 2016; Kinzer, 2008; Morady, 2020; Parenti, 2015), compromising democracy and human rights, including backing the settler colony (Zanotti, 2013), as it serves as a strategic geopolitical ally (Khalidi, 2013). Through technology and military cooperation, the settler colony aids in furthering imperialist agendas. The region's oil resources make it a target for outside interference (Jones, 2012), often at the expense of Palestinian stability. Pro-Zionist lobbies like the American Israel Public Affairs Committee (AIPAC) play a significant role in perpetuating apartheid in Palestine (Hanifa, 2020). The settler colony's existence is rooted in Zionism,

exploiting imperial allies' racist sympathies to maintain Palestinian oppression, and its forced presence on Palestinian land aligns with US interests (Hanifa, 2020; Pappé, 2007a). Emphasis on an "external threat" to the settler colony of Israel exacerbates human rights violations against Palestinians, serving US financial interests, particularly in defence industries, and perpetuates colonial-imperialist projects (Byman & Moller, 2016; Chomsky et al., 2015; Farouk-Alli, 2007; Lloyd, 2012; Mir, 2019; Said, 1977). Thus, the US's prioritisation of its political control in the region hampers peace efforts, leading to further militarisation and destabilisation, rather than diplomatic solutions.

### **The System of Apartheid**

Apartheid in SA was a regime characterised by laws and discriminatory practices aimed at segregating whites from non-whites (Saunders & Limb, 2020), constituting severe oppression and a Crime against Humanity (Lingaas, 2017). Defined by the UN Apartheid Convention (UN, 1973) and the Rome Statute of the International Criminal Court (ICC, 1998), Apartheid involves intentional efforts to maintain racial superiority, systematic oppression by one group against another, and the commission of inhumane acts during this oppression. Zionist control over Palestinians encompasses interconnected discrimination and violations of fundamental rights. This includes discriminatory practices by Zionist authorities and far-right officials to uphold dominance, especially through land and demographic control. Human Rights Watch (HRW) has documented the apartheid and persecution against Palestinians (HRW, 2021). Policies like 'Hafrada' (separation) are systemic efforts to intentionally segregate Jews and Palestinians (Tzfadia, 2007).

One of the most crucial legal instruments for addressing and preventing genocide is the UN Convention on the Prevention and Punishment of the Crime of Genocide (ICC, 1998; UN, 1948a), established in 1948 and reinforced by the Rome Statute (ICC, 1998). The convention's Article 2 identifies various acts constituting genocide, such as intentional killing, causing severe physical or psychological harm, destroying a group's way of life, implementing laws to prevent childbearing, and forcibly transferring children from one group to another. Acts related to genocide are addressed under Article 3, which identifies offences including attempts, complicity, direct provocation, and genocide itself. This legal framework underscores the importance of

justice and accountability, applicable to individuals irrespective of their status as private citizens, public officials, or elected authorities. Article 3 also underscores the role of legal procedures in preventing, investigating, and punishing genocide crimes by specifying punishable violations. Article 4 mandates punishment for those involved in genocide or related acts, regardless of their official status, ensuring accountability based on the provisions outlined in Articles 2 and 3.

Benjamin Netanyahu, dubbed the ‘Godfather of modern Israeli fascism,’ with the aid of his far-right government, frequently disregards international law and evades accountability for numerous transgressions (Bishara, 2022). The methods employed against Palestinians collectively constitute the systematic oppression that establishes the crime of apartheid including accusations of genocide (ICC, 1998).

### **The Settler Colony of Israel**

Zionism, akin to the apartheid system, has led to numerous massacres and the ethnic cleansing of Palestinians (Pappe, 2007b; Shlaim, 1996), while promoting the deliberate separation of Jews and Palestinians (HRW, 2021). In 2018, a constitutional law was enacted officially recognising the state as the "nation-state of the Jewish people," asserting the right to self-determination as exclusively reserved for Jews and ‘Jewish settlements’ as a fundamental national value (Knesset, 2018; The Times of Israel, 2018). It became illegal in the Knesset to challenge the government on its Jewish and democratic nature (The Times of Israel, 2018). The colonial state is complicit in demolishing Palestinian homes to build Jewish settlements. Like the ‘Land Act’ of 1913 in SA, restricting non-whites from purchasing fertile land (Yousef, 2012), there are laws which seize Palestinian homes if the owners are absent, and land acquired by the Jewish National Fund (JNF) cannot be sold to non-Jews (Adalah, 2010). They aim to keep a Jewish majority by containing Palestinian territory, encouraging Jewish-only area development and imposing privileges that favour Jews.

Organisations, such as B’Tselem (2023), Amnesty International (2023) and the UN (2022), have recorded acts of apartheid, against Palestinians. Additionally, the settler colony has been criticised for discriminating against diverse Jewish cultures, languages, and identities by blurring them into one Eurocentric identity; it favours Ashkenazi or European Jews and perpetuates white supremacy (Chetrit, 2009; Daniele,



2020; Sayegh, 2019). These actions are seen as hindering justice, social change, and equality, further exacerbating the Palestinian plight.

### ***The Blockade on Gaza***

The prolonged occupation violates International Humanitarian Law (IHL) by subjecting the population to siege (ICC, 1998), considered illegal collective punishment. As a result, 80% of Gazans rely on international aid (Butt & Butt, 2016), with alarming rates of PTSD, depression, anaemia and malnutrition among children (Abed et al., 2016; Manzanero et al., 2021; Thabet et al., 2017). The Palestinian population has received multiple humanitarian aid from the Palestine Red Crescent Society (PCRS, 2023), UN Children's Fund (UNICEF, 2023a), UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA, 2023), Gift of the Givers (2023) and Save the Children (2023), to name a few. Movement is heavily regulated through checkpoints and barrier walls, requiring Palestinians to obtain travel permits (McNeely et al., 2018), which can be delayed or denied, impacting access to work and education (B'Tselem, 2018). Unemployment in Gaza has soared to 70% (Elessi, 2023), with only 4% of water sources considered safe for consumption (UNICEF, 2023b). These restrictions significantly hinder Palestinians' socio-economic opportunities and personal development prospects.

The settler colony of Israel maintains full control of water, electricity, import and export, fuel, cell phone capacity and internet (Nassar & Alsadi, 2016). In comparison, the Apartheid government in SA, controlled areas through restrictions and unequal resource distribution amongst racial groups, the settler colony too, controls vital resources and the regional economy, significantly impacting Palestinians (Saunders & Limb, 2020; Yousef, 2012). The Palestinian population receives four hours or less electricity per day (Almasri, 2017), 30% shortage of medication (World Health Organisation [WHO] 2012), 90% of water is polluted (Medhat et al., 2013), over 60% live below the poverty line (Elessi, 2023) and thousands of families left without shelter (Fawcett, 2016). Apart from the inhumane conditions, Gaza's healthcare system has seen a literal collapse, where doctors must amputated patients' limbs without anaesthesia (Heszlein-Lossius et al., 2020).

### ***The role of the Israeli forces***

The Israeli forces are criticised for their disproportionate use of force, exemplified by tactics like the Dahiya Doctrine (Khalidi, 2014), resulting in widespread human rights violations and casualties. These military operations aim to depopulate areas, destroy infrastructure, and impose collective punishment. Additionally, they are accused of forcibly displacing Palestinian families to protect illegal settlements, wherein many members of the forces are themselves residents (Levy, 2011), reminiscent of similar actions taken in Apartheid SA (Barbarin & Richter, 2013). For Palestinians, several military checkpoints, roadblocks and structural restrictions limit movement. Palestinians in the West Bank are boxed in by 7000-meter-long fences called 'military zones' and/or ghettos/camps (Habbas, 2020). In SA, non-whites were issued with permits to travel between certain places and had to present those permits at checkpoints, imposing travel and work restrictions (Singh, 2014). Similarly, for any form of movement, Palestinians must obtain multiple special permits (Korn, 2008), and should they wish to access another country, they must receive military approval.

### ***Systemic Racism***

Palestinians in Gaza are denied access to education and healthcare outside the blockade (Woods, 2014). They are regularly bombed, cannot access basic resources, are restricted from certain buildings and food items, and are caged by the wall. Movement restrictions are imposed within their own areas, as the West Bank is divided into enclaves with checkpoints and other barriers (Amir, 2013). Different vehicle number plates for identification are issued, building permits are denied, and they are subjected to raids and denied legal counsel during trial (Baumann, 2016; Stevens, 2011). In Jerusalem, they face economic, health and education discrimination, are subjected to police brutality and expulsion from homes for settler takeover, and have their holy sites raided (Kingsley, 2021).

Palestinians holding 'Israeli' identifications, are discriminated against in various aspects. They encounter family separation laws, limited infrastructure rights, and inadequate education (Baumann, 2016; Stevens, 2011). Additionally, they are denied building permits, leading to a cycle of demolitions and reconstructions (Jabareen, 2017; Shaer, 2022). Palestinians also face spatial segregation, e.g., Jewish-only businesses,

recreational facilities, properties and roads. In SA, 'Dompas Laws' were used to facilitate discriminatory policies assigning non-whites to carry passbooks that had information on personal data, work-related details, entry authorisations and other limitations imposed on the individual (Garnsey, 2020). To maintain a 'Jewish State,' laws are enacted to limit the Palestinian population, evictions and demolition orders are issued (Jabareen, 2018), downgrading their status, and Palestinians are prosecuted under military law while illegal settlers are tried under civil law (Ziv, 2018). Many Palestinians are imprisoned; the majority go through no trial, and some are held under administrative detention for years, including children (Joronen, 2016; Khalidi, 2020). Palestinians suffer abuse, sexual violence and torture (Al Issa & Beck, 2021) that lead to severe cases of mental illness.

### ***Habitat Destruction***

The agricultural sector in Palestine has suffered a significant decline due to restrictions on export, water and land usage, stemming from occupation. This downturn has had severe repercussions on the Palestinian economy, especially considering that crops like grapevines, olive trees, figs, almonds, and citrus fruits are major economic and employment drivers in the region (FAO et al., 2023). Centuries-old olive trees, have been uprooted by the occupation, symbolising the severing of Palestinians' generational attachment to their ancestral land. The control over critical resources, has severely impacted the Palestinian economy, as noted by the Food and Agriculture Organisation of the UN (FAO et al., 2023), leading to a distorted economic landscape and worsening malnourishment issues. The military's actions have negatively affected human capital, demographic dynamics, territorial distribution, and biodiversity, with over two million trees destroyed (Nazzal, 2019) through various means like uprooting, poisoning, burning, and bombing, exacerbating food insecurity and dependency.

Palestinian water and soil resources have been severely depleted due to repeated herbicide spraying, land seizure, and the deliberate bombing of Gaza's water and food production infrastructure, leading to contamination from sewage and military remnants that have severe repercussions on Palestinians' health. The settler colony controls essential water sources (Hofman, 2023) and obstructs Palestinian access to the Jordan River while systematically demolishing Palestinian water infrastructure such as wells and water tanks. Palestinians are forced to

purchase their confiscated water at exorbitant prices (Amnesty International, 2017), with settlers receiving 300 litres compared to Palestinians' 20 litres, falling below WHO standards (Amnesty International, 2017). In contrast to SA, non-White communities were subjected to substandard living conditions near factories, exposed to pollution and toxins, and had limited access to basic necessities like health and sanitation (Mpeta et al., 2018).

### ***The Right of Return***

The UN General Assembly Resolution 194 (UN, 1948b) and Resolution 3236 (UN, 1974) recognised the Palestinians' right of return. Despite legal rulings, the occupying authority believes that the native Palestinians should be resettled as refugees in other Arab countries (Haddad, 2004), resulting in a refugee crisis affecting millions of Palestinians. Zionist settlers continue to occupy Palestinian land, further complicating the issue. Palestinians in Gaza, the West Bank, and Jerusalem remain stateless without any right of return. Since 1967, over 14,000 Palestinians have had their residencies revoked, leading to involuntary displacement (Hamoked, 2023), violating IHL. In 2018, Palestinians held protests along the border demanding their right of return, resulting in over 150 civilian deaths and 10,000 injuries by the end of 2019, as Israeli forces used lethal force against peaceful demonstrations (Amnesty International, 2018).

### ***Bridging Paths to Peace: President Thabo Mbeki's Role***

SA has played a pivotal role in advocating for Palestinian rights, leveraging its influential position within Africa. The historical support from Palestine to the ANC during apartheid strengthened the solidarity between the two nations (Olivier, 2003). President Mandela and President Thabo Mbeki, an anti-imperialist himself (Graham, 2008), aligned with the Palestinian cause, drawing parallels between the struggles for freedom. President Mbeki's foreign policy, addressing racism and poverty while promoting democracy (Olivier, 2003), echoed Mandela's principles. President Mbeki criticised Western nations for not supporting democratic outcomes for Palestinians in Gaza (Mbeki, 2016), particularly condemning the blockade that ensued. Following the second Palestinian uprising (*Intifada*), President Mbeki vehemently denounced the disproportionate use of force against Palestinians, reinforcing SA's

solidarity with the Palestinian quest for self-determination (Osman & Dadoo, 2013). His recognition of the legitimacy of the Palestinian struggle for freedom and equality, saw support from figures like Minister Ronnie Kasrils, initiating the 'Not in My Name' campaign, signed by numerous South African Jews, condemning the settler colony's disregard for Palestinian rights. President Mbeki initiated the 'Spier Presidential Peace Retreat' to facilitate peace negotiations in Palestine, demonstrating SA's commitment to resolving the conflict (Sooliman, 2014). In 2004, Minister of Foreign Affairs Mr Aziz Pahad filed a comprehensive document (SA, 2004) with the International Court of Justice (ICJ) challenging the construction of the Separation Wall (ICJ, 2004), where the ICJ ruled it to be a violation of international law. These diplomatic efforts showcased SA's solidarity with the Palestinian quest for self-determination and highlighted its commitment to upholding international law.

## **Analysis and Conclusion**

### ***The 'Two-State' Solution***

The two-state solution does not provide a transformative end to the apartheid and settler colonialism, which has failed due to the ongoing illegal settlements, segregation, and the Zionist state's refusal to relinquish control. The two-state idea exacerbates conflict, racial dominance and segregation by establishing a Palestinian state similar to Bantustan-like governance. Treating Palestinians as a demographic threat, Palestinian land and property confiscation, forcible relocation, unlawful killings and torture, segregation, severe restrictions on freedom of movement, and the denial of citizenship and nationality qualify as crimes against humanity under the definitions of the Rome Statute and the Apartheid Convention. The illegal settlements' expansion is presented as a deliberate act undermining the success of a two-state solution. These settlements are tangible evidence of the unwillingness to commit to establishing a viable Palestinian state. The perpetuation of illegal settlements reinforces the argument that a two-state solution is inherently flawed, allowing for continued unilateral actions that contradict the spirit of a negotiation and are entrenched in institutionalised inequality, i.e., apartheid. Even with the establishment of a Palestinian state, the minority status of non-Jews in the Jewish state would continue to be treated unequally and they would be discriminated

against, while Jews would continue to enjoy privileges protected by law. The two-state solution might not address the fundamental issue of unequal treatment, thereby rendering it an insufficient remedy to the larger problem of systemic discrimination.

The socio-economic ramifications of a two-state solution are highlighted, portraying a scenario where the economic, financial, infrastructure, and resource dominance of the Jewish state would leave Palestine at a significant disadvantage. The potential for an economically handicapped Palestine, with safety and security concerns, reinforces the scepticism towards the feasibility of a two-state resolution. The argument extends to question the geographical implications of a two-state approach, drawing parallels to the historical segregation like the Bantustans. The fear of fragmented and poor Palestinian territories raises doubts about the long-term sustainability of such a solution, anticipating potential civil unrest and conflict arising from territorial divisions. The bi-national and ethno-national character promoted by a two-state solution is critiqued for its potential to exacerbate division rather than encouraging integration. The status of Jerusalem, with its profound religious significance, is presented as a major obstacle to division. The two-state solution may not address historical injustices, human rights violations, and socio-economic disparities. Additionally, there is a demographic shift, especially in the world's Jewry on their opinion on the nature and existence of the Zionist state. The settler colony of Israel is falling short of international support as an ethno-state. Thus, an alternative approach to achieving a just and lasting resolution is supported.

### ***Resolution to the Apartheid and Colonisation of Palestine***

The settler colony of Israel faces an inherent contradiction in its aspiration and pursuit to exist both as a 'Jewish' and a 'Democratic State', which are fundamentally incompatible. They present a dilemma that can either maintain its Jewish and ethno-theocratic character, perpetuating apartheid, or transition to a non-Jewish and truly Democratic State, for all people, representing mutually exclusive paths. To minimise the further loss of human lives among both groups, prioritising principles of self-determination and justice is imperative. The settler colony of Israel must be dismantled, as it serves as the foundational to Crimes against Humanity. A one-state solution is proposed as a political and diplomatic resolution, encompassing all territories and inhabitants, with equal

citizenship rights. The model can be adopted from SA, i.e., to ‘South-Africanise’ (Hussein, 2015) Palestine into an inclusive, democratic, unitary state and the removal of Bantustan-like conditions.

Federation models such as Switzerland, Bosnia and Herzegovina, are not encouraged as they do give out a certain degree of independent powers to sub-entities thus, there would be a risk of those localities formulating discriminatory policies in health, education and law enforcement. Such a transformative endeavour demands a comprehensive effort, encompassing ideological, political, and economic dimensions. This strategy challenges and mitigates long-standing racial biases, apprehensions, and uncertainties, thus establishing the foundations for a fair, inclusive, and progressive nation. The plausible one-state solution upholds equal rights, respects the right of return, and enacts a constitution safeguarding the rights of diverse communities.

The one-state solution, though challenging and leading to a Palestinian majority, offers a trajectory to a normal, dynamic country for its people. In addition to becoming an authentic democracy, Jewish supremacy embedded in the Zionist ideology will be suffocated as the nation is governed under a constitution upholding equal rights for all. The rights and responsibilities of the state in terms of justice and fairness policies must be upheld for all its citizens. The over 700,000 illegal settlers will need to be dealt with legally. That would mean that violent acts against Palestinians cannot go unpunished, as they usually do. The potential for a diverse society will increase as rights will be given to all people, opening the doors for more investments and projects, increasing economic growth and solving domestic problems. The one-state solution will require the recession of offering automatic citizenship to Jews based on their religion. In the realm of democracy, self-determination necessitates a non-sectarian and pluralistic approach, entailing diversity and inclusivity. Security and safety of the population would increase as the threat of one state attacking another would be eliminated.

Additionally, there will be opportunities for economic growth, employment, agriculture, proper sanitation, rights of integration, cultivating citizens’ talent, the right of return, freedom of expression and movement, harnessing of resources, and a life without civil violence for everyone as a collective benefit. The proposal for a single-state solution spanning from the river to the sea holds merit. Formulating initial laws and regulations could be overseen by the international community, providing a foundational framework for the emerging state. In its early years, the country can be accountable to the international community,

who would be responsible for oversight and ensuring the protection and implementation of democratic laws. A one-state solution will promote pluralism and integration of all ethnic groups into one functioning society, thus promoting the idea of a democratic construct that land is to be shared and not divided nor taken for the intention of implementing superiority of one over the other. Lastly, to address the injustices of colonialism, a legal structure similar to the Truth and Reconciliation Commission of post-apartheid SA can be implemented in the democratic state to facilitate and rectify the grievances of apartheid. Despite the complexities, if diplomatic agreements are implemented and the involved parties work together to end years of hostilities, resolution, peace, and democracy can be attained. Only then will the people enjoy true democracy in terms of equality of rights and safety, security, and peace.

## **Limitations**

Challenges in fully integrating all available data on Palestine, recognising the vastness of the subject and the inability to encompass every detail within its scope were acknowledged. A one-state solution contrasts with majority support for a two-state solution, necessitating persuasion and cooperation from the international community. Providing a comprehensive historical account of Palestine was beyond the study's scope, leading to the omission of certain information that could have provided additional context to the proposed one-state solution. Anticipated opposition from diverse and diaspora groups may delay the execution of the one-state resolution, requiring further research to determine effective methods for overcoming resistance. The study provides findings specific to the context of SA, emphasising the importance of recognising diversity of opinions within the nation regarding the one-state solution. While the study reflects a stance in favour of Palestinian liberation, it does not claim unanimity among all South Africans.

## **Recommendations**

The author plans to expand research by addressing the current study and exploring different perspectives on a one-state solution, particularly from Palestinian and Jewish South African perspectives. The study explores international laws related to the transition from a settler colony to a unified state under a democratic constitution to address potential issues.



The proposed solution requires an interdisciplinary and holistic approach involving scholars from law, political science, sociology, and international relations.

## Disclosure

**Funding:** This research received no grant from any funding agency in the public, commercial, or not-for-profit sectors.

**Conflict of interest:** No conflict of interest has been declared.

**Statement:** The requirement of authorship as specified by the author guide of this journal have been met, and that the author believes that the manuscript represents honest work.

**Informed Consent Statement:** No human participants were involved in this study.

**Data Availability Statement:** Not applicable

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