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The starting point of the question raised by Adalah is the fear of a precedent being created that could infringe on the right of expression. Any judicial procedure that limits the right to protest, for example, will tighten the bind on Arab citizens first of all, something that is becoming more of a reality in light of the growing Israeli “phobia” of anything that does not match the hue of the imagined “Zionist consensus.” And here Israel’s poor fall in with the plans of a rabid elite, becoming the “double victims” of a regime that exploits them on the one hand, and that has robbed them of their awareness on the other.

Generally, there is a real problem in limiting the struggle to the path of legal action, or in consolidating it at the expense of the popular-political path. One could argue that the problem lies not so much in the legal struggle as in the decline of the popular-political struggle. The effectiveness of the legal struggle has a directly proportional relationship to the popular-political struggle; a decline in the latter does absolutely nothing to strengthen the former but rather weakens it, since the two must be connected together to form a composite struggle.

I do not think that the racist campaigns being waged against our Palestinian towns in Israel should be confronted in the courts. The most effective and appropriate means is popular and political confrontation, because it politicizes people and demands that all individuals play a role in gaining their freedom, rights and dignity. And protest is an important awareness-raising process.

There is, perhaps, an exception, namely when protest via the legal system helps to expose double standards within the judiciary in particular, and the ruling establishment in general. Then the matter gains in importance. Thus legal action should not only target the actions of the racists themselves, but also the fog that the establishment provides them with in order to conceal their racist principles and practices behind the veil of freedom of expression. I lack the necessary expertise to be able to determine the cases that fulfill these conditions, which is where the role of Adalah comes in. I trust them in making legal determinations since they are critical and do not harbor illusions of judicial neutrality.

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