

Do We Have the “Luxury” Not To Seek Legal Achievements, No Matter What?

By Antwan Shalhat *

There is no doubt that the Supreme Court's ruling to overturn the Israeli Interior Minister's decision (which in turn received a green light from the Prime Minister) to ban the author Alaa Hlehel from traveling to Beirut to receive a prestigious Arab and international literary award, removed the legal obstacle to making such a trip. This ruling is an important legal achievement, primarily for Adalah. It is in line with its national agenda, and in the future it could benefit other Arab citizens of the state. I believe that such achievements, whatever they are, must always remain an aim to which we aspire. There is no need for an explanation of what lies beyond it, or to burden it excessively. However, at the same time we must not jump to the fallacious conclusion that what happened in “Hlehel's case” can now be automatically applied to similar issues, as the struggle is still in its infancy.

It is no secret that an important part of our struggle here is legal, and derived, naturally, from the struggle for citizenship, which all almost certainly agree must be engaged in with all available means. Thus, we do not have the “luxury” not to value, not to say scorn, what is sometimes achieved along this intricate, complex course. In my opinion, any sensible person cannot turn a blind eye to the potential of these achievements to derail the official campaign to clamp down on the Arab presence in this country, which has recently been dangerously escalated. Even if some have chosen, for their own interests, to remain silent about certain aspects of the outcome of this campaign, I affirm that, despite its intensification, at least since Benjamin Netanyahu formed his second government over a year ago, and which calls for more unity, alignment and engaging in the popular struggle by the Arabs, the positions taken by all constituents of Arab society are actually hardening. Hence, forcing a decision from the Supreme Court against the arbitrary, indiscriminate and unjust procedure of the Israeli Interior Minister, supported by the Prime Minister, offers a “ray of hope” for our community in its efforts to be increasingly engaged in the struggle or popular confrontation with the Israeli authorities, which do not harbor any goodwill toward us. It is, quite simply, “a glimmer of hope” that we do not have the “luxury” to cast aside, especially in the current situation where there is an increase in the international concern for Israel's image. This situation has in fact reversed David Ben-Gurion's famous saying, “It is not important what the Gentiles say; what is important is what the Jews do.” Therefore, we must work to support and guide these developments.

Everything has a time and a place, and just as the popular struggle has a time and place – note that the battle of the Arabs here is open to all times and places – the legal struggle also has a time and place. There is no contradiction between these two complementary struggles.

However, the following points must also be taken into account:

1. The Supreme Court opposed the Israeli Interior Minister's decision in this regard, and as far as I know there was no objection from the General Security Service (GSS or the

“Shabak”) to Hlehel traveling to Beirut. Therefore, the court’s decision is an exception and does not abolish the rule that the Israeli security establishment still has the last word, and remains in charge of all aspects of the freedoms of Arab citizens of Israel. Equally, we can state that in no circumstance is the legal or judicial institution, which endlessly boasts that it controls the “limits” of Israeli democracy, in charge.

2. The issue of our cultural connection with the Arab world is a historically and fundamentally settled issue, and is conducted in different forms within the minimum limits. However, the question remains whether it features on the agenda of the Arab leadership inside Israel? This question is not raised in a vacuum, because if it were included, it would inevitably result in the adoption of a plan or work program to promote it. Perhaps the time has come to devise such a plan, and to raise it – at our own initiative with Arab ministers of culture. It would subsequently be inevitable to demand the removal of any Arab “legal obstacles” that limit this connection, even at the individual level. And perhaps negligence in this regard is a failure of collective responsibility.
3. Culture has been a key to feeding the identity struggle of the Palestinians inside Israel, as well as to supplying it with the fuel to keep it burning. Despite internal, regional and international political developments, culture maintains a prominent position in the struggle for identity, which is not yet over. I am not speaking of tactical sustenance, though this is important, but rather cognitive, rational, cultural nourishment that is now gaining in importance due to the mounting worldwide onslaught on Arab and Muslim culture. Just as Arab culture has been part of the identity struggle waged by Palestinians inside Israel since 1948, this culture should now not only exist, but also deepen its bonds with the various aspects of our cultural life. This calls for us to be exposed to various qualitative cultural phenomena that build national loyalty and broaden the cultural horizon. We can say, without fear of exaggeration, that Arab culture and its contribution to preserving our identity has thus far resulted from the determination of the vast majority of Palestinians inside Israel, and the overwhelming majority of their political forces since the 1980s to remain a part of Arabism. The general belief is that this culture will be strengthened further if it is placed at the heart of the objectives of Arab cultural projects initiated in coordination with the Arab decision-makers themselves.

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