

Akka (Acre) and Beirut – A Relationship Beyond Israeli Law

By Ameer Makhoul*

We were delighted when the creative writer, Alaa Hlehel, received the "Beirut 39" Festival Prize as one of the best young authors in the Arab world. This prize is deserved recognition of a worthy writer. In addition to its literary value for the author himself, the award has a qualitative and symbolic value. It also confirms the connection to the wider Arab world that 1948 Palestinians within the Green Line have been denied for decades.

However, the author's decision to go to the Israeli Supreme Court through Adalah to seek permission to travel to Beirut creates a political dilemma, the complexity of which was increased by the Israeli Supreme Court's decision to authorize Alaa to travel to Lebanon, as it is a public and not only an individual matter.

Before examining this issue, it is important to stress that the author Alaa Hlehel has, within a short space of time, made a remarkable contribution to the literary scene. He has gained a distinguished literary and cultural name that has reached Beirut and the Arab world, to the West and to the East. He has traveled where it was possible for him to travel, and his words have reached places blocked to him by borders. Furthermore, Adalah is, without doubt, one of the most active and highly regarded human rights organizations in the Arab world, and has gained international credibility. The author and Adalah are both convinced that the relationship between Akka and Beirut is a natural and valid relationship, enshrined in the rights of peoples and nations.

Returning to the political question, however, a paradox is created when a Palestinian from inside Israel who wants to connect with the Arab world and travel to an Arab capital requests from an Israeli court allow what was denied to him by an Israeli minister or the security establishment. In essence, the Palestinian allows Israel to decide on his natural relationship with the Arab world.

Reaching Beirut via an Israeli legal battle is embarrassing to us and disconcerting to Beirut. Beirut treats Akka, Haifa, Jaffa and Gaza as a natural extension of itself, even though world imperialism has interrupted this connection and built Israel, its colonial heir. For us, Beirut is the extension of a long history and a beautiful dream that was cut short six decades ago. They have tried to impose a dream on the Palestinians inside Israel that does not extend beyond Israel's military borders.

The issue of traveling to Beirut has very political and sensitive aspects. The question is about the tools of the game, because choosing the tools here is an essential matter. Israel also views it as a political matter although the formal claim is that it is purely a legal issue. Given that the

* Ameer Makhoul is the Director of Ittijah – The Union of Arab Community Based Organizations. Akka (Acre) is mentioned because Alaa Hlehel lives in Akka.

issue of going to the courts has implications for the right to connect with the Palestinian people in its homeland and in the Diaspora, and with the Arab people at large, it would have been better not to resort to the Israeli courts. In fact, the greater problem is that the Israeli Supreme Court responded to the writer's request and did not reject it. In effect, when it agreed, it represented Israeli interests and a standard to be used to legitimize its decisions to pursue every Palestinian who does not request permission to travel. In practice, it won in this equation as it gained the credibility to be, in the best of circumstances, the arbitrator between Israel and the Palestinian "citizen," as if the court were a third, neutral party which defines what is permissible and forbidden in the relationship between peoples and nations.

This case is different from going to the court against an "administrative order" issued against a Palestinian citizen of Israel whom the State is preventing from leaving the country in a sweeping manner. Even in such a case, I do not personally believe in the utility of going to the court, because it is hostile and one of the main arms of an Israeli regime that justifies the repression of Palestinians. However, even if we use it as part of the political pressure we exert on the state and its reputation in the world, it is possible to deal with it in a legitimate and acceptable, if controversial, manner. But when we approach Israel with a request to allow the "citizen" to travel to Beirut, our position has implications for all the Palestinians inside Israel and also for Beirut. We have to connect with the Arab world on the basis of the conviction that Israeli law, which prohibits our inter-connectedness, is contrary to our natural rights, the rights of peoples and international law.

Furthermore, approaching the Israeli Supreme Court on this matter and appointing it as the final arbitrator differs fundamentally from approaching it in other cases, such as the prevention of political parties from running in the Israeli Knesset elections. Regardless of the position of the Knesset, when a party appeals to the Supreme Court to cancel the Central Election Committee's decision to prevent it from running in the elections, overturning the Election Committee's decision is legitimate and legally coherent behavior. It relies on a different standard than traveling to Lebanon and is not a double standard. Elections and running for the Knesset are matters that are essentially within the political decision of the concerned party and the boundaries of citizenship, while the relationship of the 1948 Palestinians with the Arab world is, in essence, beyond the limits of Israeli citizenship. It is a relationship between peoples and nations, and its terms of reference are natural rights as well as rights protected by international law.

It is the author's right to travel to Beirut whenever he wants, and it is Beirut's right and, more importantly, its duty to welcome him and to welcome the 1948 Palestinians. However, our duty is to follow a path that is direct and to think beyond Israeli law. We will not ultimately succeed except with this challenge and its intensification or without the conviction that our right to visit Beirut and to connect with the Arab world belongs to us.

This is not a new position, but has represented the national constants of our people inside Israel for decades. In the 1970s and 1980s, Israeli law prevented meetings with representatives of the Palestine Liberation Organization (PLO) anywhere in the world, but these meetings did not cease, whether they were permitted or not. Furthermore, it was a political decision not to

approach the Israeli courts with a request to be able to meet representatives of the PLO. Our relationship with our people wherever they are, with our homeland and our right to it, and the right of the refugees and displaced persons, as well as our relationship with the Arab nation, are matters that we consider as beyond Israeli law. This position has the consensus of the political forces combined and consolidated in the High Follow-up Committee and the Popular Committee for the Defense of Freedoms. It has been vocally and clearly confirmed at the "Challenge and Exist" festivals, which are currently taking place. It is also a position that we practice at the level of civil action and of the Union of Arab Community-Based Associations (Ittijah).

Our direct relationship with the Arab world is a relationship of right and we exercise it within the anti-normalization campaign with Israel, despite the price that may be extracted by its repressive laws. However, if it becomes a relationship that we receive as a right from the Israeli courts, this is problematic. It also reflects the Arab world's view of us and our imposed reality. The credibility of the political voice of Palestinians inside the Green Line within the Arab world is also based on this direct relationship, despite the price it entails. The price does not matter, whether we use the right to refrain from traveling with any Israeli conditions, or we continue to engage and then face the consequences of Israeli law. Subsequently, we will confront Israeli law with international law. Then the crucial role will be that of mobilizing the public and defending freedoms and the right to connect with the entire Arab world. This role will convert the individual issue into a group responsibility – the responsibility of the popular masses.

To summarize, the best course of action, as I see it, is not to allow the Israeli courts to decide on issues that fall within the scope of the Palestinian right to self-determination. I am confident that Beirut would appreciate this and would open wide its gates.