

To Prison, Again, for Protesting Against Israel's Colonial Rule

Jonathan Pollak

7th January 2020

I am currently detained in an Israeli jail, the result of refusing to attend or cooperate with criminal charges laid against me and two others for joining Palestinian protests in the West Bank against Israel's colonial rule. Because I am an Israeli citizen, the proceedings in the case are held in an Israeli court in Jerusalem and not at the military court, where Palestinians are tried.

It has been almost nine years since the last time I was incarcerated for more than a day or two. Much has changed since. Politically, reality does not even resemble that of a decade ago, and none of the changes were for the better.

Politically, the world seems to have lost much of its interest in the Palestinian struggle for liberation, placing Israel at one of the historical peaks of its political strength. I am in no position to discuss the profound changes within Israeli society and how even farther to the right it has drifted. Israeli liberals are much better suited for such a task, because they hold their country dear and feel a sense of belonging that I cannot feel and do not want to feel.

Personally, I am older, more tired and, mostly, not as healthy as I was. Of course, the price I have paid for my part in the struggle is a fraction of that paid by Palestinian comrades, but I cannot deny its subjective weight on me: from physical injuries, some irreversible, through sporadic despair, anxiety and sense of helplessness, to the encumbering sensation of loss and the presence of death – and the grip all these have on my day-to-day life. And yet, the more things change, the more they stay the same. Right now, just as it was back then, sitting in prison is better than any other alternative available to me.

The legal fallacies that riddle the case against us are of little significance. While it is fair to assume that had I agreed to cooperate, the trial would have ended up with an acquittal, my refusal to recognize the court's legitimacy is based on two main grounds.

The first is that my Palestinian comrades do not enjoy the luxury of being tried in the relatively comfortable conditions of the Israeli courts. Rather, they are tried as subjects in the parody of a legal system that are Israel's military courts. Unlike me, Palestinians do not have the option of refusing to cooperate with their captors, since the vast majority of them are tried while remanded into custody for the duration of their proceedings.

Additionally, the punishment Palestinians are faced with is significantly harsher than that specified in Israeli law. Thus, in this regard as well, despite refusing to recognize the court's legitimacy, the price I am likely to pay is significantly lower than that paid by my comrades.

The second, more fundamental ground to refuse to cooperate is that all Israeli courts, military or otherwise, lack any legitimacy to preside over matters of resisting Israeli colonial rule, which employs a hybrid regime, ranging between a distorted and racially discriminatory democracy in its sovereign territory and a flat-out military dictatorship in the occupied territories.

Faced with the tremendous shift to the right in Israeli politics, the shrinking remnants of the Zionist left – once the country's dominant elite group – are consumed by lamenting the decline of Israeli democracy. But what democracy is it they wish to defend? The one that has dispossessed its Palestinian citizens of their lands and their rights? The one that, at best, views these Palestinian citizens as second-class? Perhaps it is the democracy that governs the Gaza Strip through vicious siege while it reigns as a military dictatorship in the West Bank?

Despite the obvious nature of the Israeli regime, Israeli liberals are not willing to contest the fundamental premise of internal Israeli discourse and acknowledge that the State of Israel simply is not a democracy. Never was.

To join the fight to topple Israeli apartheid, the few Jewish citizens of Israel willing to do so will first have to recognize that they are overprivileged and be willing to pay the price of relinquishing that status. An open rebellion against the regime has been taking place for decades, carried out by the Palestinian resistance movement. The price paid by those involved in it is immense. Jewish citizens of Israel must cross over and walk in their footsteps.

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