

## Cloak and Dagger Exposé: Ars Poetica in the Halls of Justice

Yehouda Shenhav-Shahrabani

Tel Aviv University  
shenhav@tauex.tau.ac.il

The State of the Jews v Dareen Tatour:

A Theater of the Absurd in Two Acts

Dareen Tatour is a Palestinian citizen of Israel, who lives in the village of Reineh, near Nazareth. She had wanted to be a poet since she was little. The police prosecutor, diligent and determined, destroys her dream: Tatour is not a real poet—this is exposed for all to see, in an unprecedented discussion of the art of poetry that occurred in the halls of justice.

---

Editorial Note: The Israeli police arrested Dareen Tatour in October 2015, and in November 2015 an indictment was filed against her for incitement to violence and support for a terrorist organization. At the center of the indictment appears a poem that was published on YouTube and Facebook under the title “Qawem Ya Shaabi Qawemahum” (Resist, my people, resist them). A full—and distorted—translation of the poem as made by a police officer is cited in the indictment document. Tatour remained in detention for three months, then spent eighteen months under house arrest at her parents’ home in Reineh (الرينة). She was convicted on May 3, 2018, and on July 31, 2018, she was sentenced to five months’ imprisonment. She was released in September 2018. Yehouda Shenhav-Shahrabani’s text describes two bizarre scenes from the courtroom during Tatour’s trial.

The prosecutor, with a cloak and a dagger, insists for seven full hours—about a third of a short academic course—on solving the unsolved riddle of poetic theory: who is a poet? As if this were the poetic equivalent of Fermat’s Last Theorem.

The prosecutor is a lawyer. She has a career and she is trying to be objective, as her profession requires. But she also has thoughts. Every once in a while her mouth loosens and discloses her thoughts. You have to read it to believe it. Instead of the discussion focusing on the semantic and political meanings contained in the poem written in Arabic for Arabs, the discussion in the halls of justice surrounds the “faithfulness” of its translation into Hebrew.

Act one: Who is a poet?

Witness: Prof. Nissim Kalderon, a professor of Hebrew poetry and editor of poetry magazines.

Cross-examination: two hours.

Prosecutor: You are assuming that the defendant is actually a poet.

Witness: Yes.

Prosecutor: Will you agree with me that you do not have prior acquaintance?

Witness: No prior acquaintance, except that I read the indictment and it contains a poem, and someone who writes a poem is a poet.

Prosecutor: If I told you that some would say the text is immature, would that change your position?

Witness: All poetry, even immature, enjoys the status of poetry.

Prosecutor: Who defines it as a poem?

Witness: There is no authority that defines a poem as a poem. Whatever the poet defines as a poem is a poem.

Prosecutor: How do you know the defendant defines it as a poem?

Witness: It was published in short lines, and since it contains a rhythmic element it is reasonable to assume it is a poem.

Prosecutor: What rhythmic element?

Witness: Musicality. “Resist, resist my people,” that is musicality that stems from repetition. There is a musical and verbal connection between the repeating lines, which are sometimes called a refrain. When they charged her, they did not dare write it in continuous lines, but in short lines. Even the prosecutor understood before me that it was a poem.

Prosecutor: If I write a text and the text has eight lines, short lines, and after every two lines there are another two lines that repeat themselves, would you call that a poem?

Witness: Yes.

The prosecutor wishes to establish rules for the theory of poetics and expounds with unusual diligence on the differences between prose, poetics, literal figure, faithful poetry, and derivative poetry. The prosecutor does not seem to agree with the positions of the poetic giants through the ages. For her it is do or die. Daren Tatour is not a poet, even if this is not her first poem in Arabic written with a rhythmic element in short, repetitive lines. If Tatour is a poet, this trial is a farce because democratic countries do not take poets to court and do not isolate poets from the outside world for three years.

In democratic countries poem writing is protected by freedom of speech, the minority view needs to be heard and so on—other values that all have the stench of leftism. The prosecutor will not let Tatour be called a poet, because if Tatour is a poet, Israel is North Korea or the People's Republic of China. Slowly the prosecutor begins to understand that she is facing a leftist professor. She tenses when the poetry expert explains that the poem was written in a genre accepted in Palestinian nationalist poetry, thousands of whose like line bookshelves in Arabic, just like their parallels in the traditions of all nationalist poetries, including Zionism's.

Things come to a head when the witness says that “there is no authority that defines a poem as a poem.” The prosecutor is now going to prove that the court is looking at a leftist in the disguise of objectivity.

Prosecutor: You participate in literary evenings and even attended an event . . . in Tel Aviv, called “Poetry in the Shadow of Terror.”

Witness: I attend several events a week, and I don't remember them all.

Surely when the prosecutor gets back to her office, she will demand regulations and an ethical code, and maybe somebody up there will understand the state of emergency and write an outline of a “poetry law.” The Ministry of Culture will establish a licensing unit to authorize poets, like dentists, and set standards for poetic negligence; the Ministry of Public Security will make sure there are no imposters and will impose administrative detention as needed; and the Ministry of Health will revoke the license of a poet struck by madness or divine inspiration (whichever comes first).

Now all that remains for the prosecutor, who shows no signs of fatigue, is to prove that the word *shahid* (شهيد) means terrorist. Slowly but surely it becomes clear that the prosecutor does not understand Arabic. She asks a translator to take the stand on her behalf.

The witness is an older man with thirty years tenure in the Nazareth police. For the first time in his life, he was asked to translate a literary text into Hebrew, a language whose intricacies he does not know.

When the translation in Hebrew was submitted to the court, the translator apologized for several omissions and defects. Unfortunately, he did not realize that “Merkava” is the name of a tank, and other things and words were lost in translation. And what about the word *shahid*? The translator for the prosecution got stuck somewhere in the middle, between Arabic and Hebrew. *Shahid* is *shahid* (sh-a-h-i-d) in a Saussure-esque style. For the prosecution that is enough, because in Hebrew culture *shahid* means terrorist.

But the next witness, a translation expert for the defense, lists the different meanings of the term *shahid* in the dictionary “Tongue of the Arabs”: “casualty,” “victim,” “martyr,” “fallen.” I assume that the prosecutor realized that she was again facing a witness who was not objective and had leftist views. She probably believes that it is important, apparently, for every word in Arabic to have only one meaning in Hebrew, even if it is taken out of its semantic context. As far as the prosecution is concerned, it would be best to leave the word *shahid* in its Hebrew transliteration and to rely on its meaning in Hebrew culture—as if the word’s meaning in Arabic were identical to the meaning loaded onto it in Hebrew.

Act two: Who is a translator?

Witness: Dr. Yonatan Mendel, translator and researcher of translation between Arabic and Hebrew.

Cross-examination: five hours.

In the cross-examination, during which it seemed that the witness had become a defendant, videos (having nothing to do with Dareen Tatour) were shown depicting riots throughout the West Bank. The soundtrack played words like “*shahid*,” “terror,” “blood,” “sanctity of the soil,” “right of return,” again and again, so much so that a Jewish ear might have thought these were quotes from the Zionist poems of Uri Zvi Greenberg that we learned in school (“It is blood that will decide who the sole ruler here is”; “A land is conquered by blood. And only she who was conquered by blood will be sanctified to the people of sanctity of blood”; “A miraculous return to the village, a cut down tree reconnecting with its trunk”; “I hate the peace of the surrendered”).

Prosecutor: Do you consider yourself an objective witness?

Witness: Yes.

Prosecutor: How good is your Arabic?

Witness: Excellent.

Prosecutor: When you listen, it is hard for you to understand. Why?

Witness: There is a difference between simultaneous translation and translation of a written document.

...

Prosecutor: Do you think the Palestinian people is a people living under occupation?

Witness: The Palestinian people is a divided nation, it does not live in a free country.

...

Prosecutor: Do you think it has a right to resist occupation?

Witness: I support nonviolent resistance.

Prosecutor: You claim that Israelis automatically interpret the word *shahid* as related to terror.

Witness: Yes.

Prosecutor: You say that the Israeli Jewish interpretation of the word is distorted . . . and any Palestinian who heard it would understand it as “casualties” rather than “martyrs”?

Witness: I would actually say “victims” rather than “aggressors.”

Prosecutor: First you wrote “casualties” rather than “martyrs,” and now you are saying “victims” rather than “aggressors.”

Witness: The word “*shahid*” in Hebrew is loaded. The vast majority of *shuhada* [the plural of *shahid*], or as we call them in Hebrew “*shahidim*,” are civilians who did not seek to hurt Israelis.

Prosecutor: According to the police translation, it indicates a call for violence.

...

Prosecutor: You translated “rise up,” whereas he translated “resist.”

Witness: The root of the word in Arabic is قَوْم (q-w-m), and I looked for a similar root in Hebrew, so I chose “rise up.” “Resist” is not wrong, but “rise up” is better.

Maybe someone will also propose a “translation law,” because how could a certain word have a number of meanings? And so goes the discussion in Hebrew about a poem in Arabic, by people who are not competent in Arabic. Like Robinson Crusoe, who was certain that Friday would speak his language, they believe that each word in a language they do not understand has only one meaning in Hebrew. All the more so when it is a familiar word such as *shahid*.

The many hours the court spent considering the question of translation are a masquerade ball, a farce. Does anyone really think such a discussion can be held in Hebrew? Translation came up because the prosecutor—like everyone else in the courtroom—does not understand Arabic. After all, had the discussion taken place in Arabic, which until a year ago was an official language in Israel, the court would not have needed a translator. Had the prosecution, which repeatedly reiterated its pretension to objectivity, really had integrity, we could have expected it to humble itself and lay off of this case. Perhaps the prosecution was also exposed to a study

published in 2015 that shows that only 0.4% of the Jews in Israel are capable of understanding a text in Arabic. For its own reasons the prosecution did not let go of this case. On the contrary: it only increased its determination to produce this theater of the absurd.

Prosecutor: The poem does not refer only to the West Bank.

Witness: Correct.

Prosecutor: Actually, it also refers to within the Green Line.

Like a shot in a concert hall, the Green Line is the real issue. The same miserable border line that has long been erased from the Jews' maps in an impressive stroke of colonialism. Nobody talks about the Green Line anymore—except for our prosecutor, the anti-Semites from the United Nations, and a handful of peace envoys who come to the region every once in a while. The Jews have no Green Line anymore. Judea and Samaria are here, this is the land of our forefathers, and the Green Line is crossed by Jews, but only by Jews. And in order for the Palestinians—those who are called the Arabs of Israel—not to cross the Green Line, it has to be seared into their consciousness.

Had Daren Tatour been the resident of a village near Ramallah, I believe nobody would be asking whether she is a poet. She would have been put in administrative detention for incitement. But within the Green Line, the administrative detention of a poet is no small matter. Therefore it needs to be proven that she is not a poet. Down below, beneath it all, behind the facade of the supposedly “liberal” law, the prosecutor is doing what she is supposed to do: intimidate, deter, censor poetry, and turn the poet into an enemy. So shall it be done to anyone who dares write nationalist—not Zionist—poetry within the Green Line. Now all that remains is to call her an “inciter.” If we repeat the speech act enough times, it will work. And what about all those who were not suspected of incitement, despite their words? A senior member of Knesset (“Anyone who pulls out a knife or a screwdriver—needs to be shot to kill”), a senior Likud member (“The Sudanese are a cancer in our body”), and a prime minister (“The Arab voters are swarming in huge numbers to the polls”)—and that is just a partial list.

Nobody in the courthouse could see that it was an absurd sight: that we were faced with a prosecutor arguing in Hebrew about the meaning of words in Arabic that can be understood only within the Arabic poetic tradition. More so: the argument was not about the poem or about its quality, but about the quality of its translation into Hebrew.

Yet still, within that whole mess, we learned—with the help of the erudite prosecutor—some fundamental facts about the state of culture in Israel. What is an Arabic poem? One that can be explained in Hebrew, because it has no existence in

the original. What is a translation? One that uproots the sapling from its cultural soil and environment and plants it in foreign soil to create a Tower of Babel of words. Who is a translator? Someone authorized by the government to find for every word in Arabic a single meaning in Hebrew. Who is a prosecutor? Someone who will do whatever they can to prevent Palestinian nationalist poetry from happening within the Green Line. Who is a poet? She who exposes the depths of the soul and the lies of the regime. The prosecution's questions reveal what it wishes to hide: that there are people suffering under oppression and disenfranchisement who are not entitled to the same privileges as the Jews.

Below is Tatour's poem, "Qawem Ya Shaabi Qawemahum," in the original Arabic:

وهديل قنصوها علناً	قاوم يا شعبي قاومهم
قتلواها في وضح نهار	في القدس ضمدت جراحي
قاوم يا شعبي قاومهم	ونفنت همومي لله
قاوم بطش المستعرب	وحملت الروح على كفي
لا تصغ السمع لأذنان	من أجل فلسطين عربي
ربطونا بالوهم السلمي	لن أَرْضى بالحل السلمي
لا تخشى ألسن ماركافا	لن أنزل أبداً راياتي
فالحق في قلبك أقوى	حتى أنزلهم من وطني
ما دمت تقاوم في وطن	أركعهم لزمان الآتي
عاش الغزوات وما كلّ	قاوم يا شعبي قاومهم
فعليّ نادى من قبره	قاوم سطو المستوطن
قاوم يا شعبي الثائر	واتبع قافلة الشهداء
واكتنبي نثراً في النذ	مزق دستوراً من عار
قد صرت الرد لأشلائي	قد حمل الذل الفهاري
قاوم يا شعبي قاومهم	أردعنا من رد الحق
	حرقوا الأطفال بلا ذنب