

Forum slams West Bank justice



Universities need radicals

VANCOUVER (CUP) — Elite institutions like schools of law and medicine and government bureaucracies need more radicalism, says a Harvard law professor who recently spoke at the University of British Columbia.

Duncan Kennedy criticized these institutions for their rigid defense of the status quo, during a speech sponsored by the Vancouver Institute, a volunteer organization designed to bring the university and the Vancouver community together.

Radicalism, says Kennedy, "is believing that there should be very far-reaching and fundamental changes in institutions."

Kennedy said a radical in the area of health sciences, for instance, might support a move toward a homeopathy (a system of treating disease by administering small doses of a drug which would cause a

healthy person to have the symptoms of the disease).

Kennedy says radicals inside the system are in a unique position to affect change. But, he says, they must "develop movements within the system to survive the reaction against them."

Opposition will come from the "collective dictatorship", which he characterized as white males between forty and fifty-five years of age. Kennedy said these people have power and are considered to be "the people with the best medical or legal judgement."

Kennedy also heavily criticized the selection system of elite institutions.

Traditionally, "the criteria of selection to become a doctor or a lawyer... have unjustly had the effect of excluding racial minorities and women," said Kennedy.

by Tracey Reynolds

Two U of A law students presented "The Law in the Israeli Occupied West Bank and Gaza" a Forum on the legal restrictions Palestinians face living under Jewish occupation.

The law, under Israeli control, is based on a system of conventions, not on a permanent constitution and discriminates against Palestinians living there, according to Don Davies and Derar Dombro who presented the talk.

"The Israeli National Law" was a primary issue of the talk. This law makes it difficult for an Arab living in Israel or the occupied territories to become a citizen, when at the same time Jewish citizenship is very accessible.

The Arabs are not "automatically recognized as citizens" said Dombro, "even if their family goes back generations in the land." Complications arise if they were not living in Israel before May 14, 1948. If you are the child of someone who was living in Israel before this time you can receive citizenship only between the ages of eighteen and twenty one. If there is a problem with the file you must live five consecutive years within the borders of Israel before you can attain citizenship.

However, if you come from another country and have Jewish ancestry, or you are a convert to Judaism and want merely to live in Israel as a Jew you are given citizenship right away. The "Law of Return" recognizes a Jew's right to live in Israel inherent one and is proceeded by the state, according to Davies.

There are other laws in Israel which do not conform to our idea of democracy, according to Davies. Permits are required for Arabs to

engage in commerce, work, trade and travel. There are periodic traffic roadblocks set up by armed military men who can search a vehicle at any time. Plus, arrests are made without warrants, said Davies.

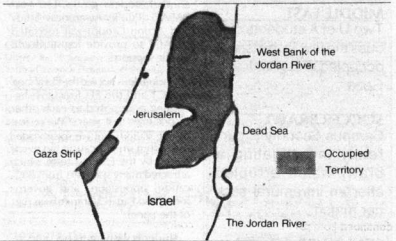
The forum also condemned the "Administrative Detention" law used by the Israeli government. "Administrative Detention", an important concern brought up quite often in the forum, allows the military police to arrest someone and detain them for a six month period without disclosing the charge. This legislation was implemented in order to constrain those people using violence; however, it is also used on those who voice opinions which conflict with the state. Amnesty International, the international human rights organization, has expressed concerns about this legislation in regards to freedom of speech.

Once arrested a Palestinian can receive a trial which is "frightfully similar to a Kafka trial," said Davies. The defence-lawyer is not included in discussions between the judge and prosecutor and may even be asked to leave the courtroom. Also, Davies said that under Israeli law,

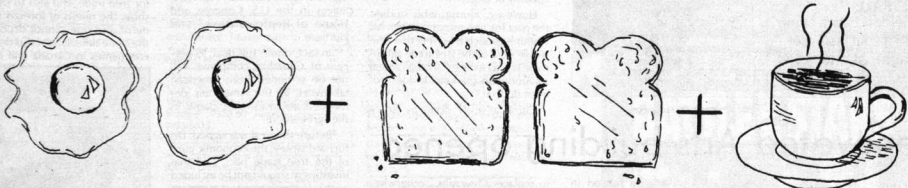
"court hearing evidence does not have to be disclosed."

To further his stand, Davies referred to a paper written by David Rosenblume, a Jewish university professor in Tel Aviv from 1971 to 1973, who claimed that there is a definite status differentiation between Jews and Arabs in Israel. For example, all Jew and Arab disputes are held in Jewish courts. A study done showed that out of 70 complaints by Arabs, 53 of them were unresolved. In contrast, a local police cannot report a crime by a Jew unless he has three witnesses, according to the Rosenblume study.

Dombro concluded the presentation by expressing his apprehension with property expropriation of Arab buildings, including homes. If Israeli security forces can establish that a person who is thought to be a terrorist or a "security threat" is seen in or around a house, that house can be demolished. It is not taken into consideration as to whether the actual owner of the house is an innocent bystander. The government also has the authority to confiscate any business that may be a security risk.



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