



## **Baladna Association for Arab Youth**

In collaboration with the student political parties' organizations:

*Abnaa' Al Balad , Al-Jabha, Al-Tajamo, Ikraa.*

Survey concerning Haifa University and its treatment of the  
Palestinian Students:

# **A chronicle of discrimination and racism**

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## Introduction

The term “campus”, defined as the territorial space academic institutions are established, is the prime center of student life. Campus life, not only limited to academic learning, is a unique opportunity to gain human capital which is so central when attempting to influence the public sphere and social struggles. Thanks to the values of academic freedom, university offers a wide platform for liberal activity to its fellow students. A historic retrospect easily indicates that countless student led social movements have had a wide influence on both local and global issues. It is this socio-academic freedom that a university provides which allows students to become influential leaders in shaping the public sphere even after completing their studies.

In Israel current circumstances have hardly gone unnoticed and student activism has widely taken place leading to important social and political movements on multiple occasions. For all of these movements the campus administration allowed a great liberal sphere for such activity. However, when it comes to Palestinian students, the access to such socio-political freedom takes a different turn. Since the early stages of Israel’s establishment, the different governments viewed educating its Palestinian minority as a tool that could potentially increase the security threat they themselves constituted. David Ben-Gurion, Israel’s first Prime Minister, known for his efforts to maintain a wide gap between Palestinian and Jewish citizens (to ultimately neutralize the Arab threat) said in his speech that if the number of Arab students attending universities and high schools increases, certain elements within the population will change, making them stronger than its Jewish citizenry.<sup>1</sup>

A similar stance towards Palestinian citizens of Israel can be found amongst other policymakers such as Uri Lubrani, an advisor to the former prime minister. Lubrani was quoted by the Haaretz saying that: “Perhaps it was better if there weren’t any Arab students. If Arabs remained hewers of trees then it would be much easier for us to control them, however there are things that do not depend on our wills.”<sup>2</sup> Not surprisingly, such segregating attitudes and opinions have infiltrated de facto into campus hallways.

Israel’s stance towards its Palestinian citizens in the second decade since its creation is thoroughly analyzed by Yaier Boimel Ph.D. In a chapter of his work, Boimel points out a long chronology of manifestations that have taken place against racism towards Palestinian students. Amongst other topics, Boimel focuses on the difficulty of enrolling into universities, obtaining housing, scholarships and jobs. The professor explains that the consequences of such discrimination are clearly visible when looking at the number of university graduates. Between 1961 and 1971, for example, only 328 Arab students graduated from university, 0.09% of the population, in contrast with 13% of Jewish

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<sup>1</sup> Ben Gurion speech held in the Knesset during the years 1962-1963 which refer to “certain elements amongst the Israeli Arabs” as threatening Israel’s security. Reference: Yair Boimel (2002) p. 168.

<sup>2</sup> Haaretz Newspaper 04.04.1961 Reference: Yair Boimel (2002) p. 123.

university graduates within the same decade.<sup>3</sup> Notably, the ratio was in different instances imposed in accordance with the Shabak as mentioned in Boimel's research below:

—When Haifa University refused to accept Mohammed Miyari to its teaching staff in 1970 due to recommendations from the Shabak, this became a public matter. The pro-rector of the University of Haifa, Binyamin Aktsin, justified the consultation of the Shabak saying that Arabs in Israel find themselves in an identity crisis when choosing between loyalty to the state of Israel or the enemy neighboring Arab states. This results in additional precautions when hiring Arabs, even if they have no former convictions and their history is clean.”<sup>4</sup>

Boimel brings in other researchers to present further limitations of freedom of expression amongst Palestinian students in Israeli Universities. They found that due to the administration's fear of politically organized Palestinian students, each one of them is appointed a security officer working closely with the Shabak (an advising source to the University) when dealing with these students.<sup>5</sup>

If such findings are in fact backed by substantial proof, it becomes clear that how Israeli universities treat Palestinian students is openly discriminative based on the belief that this minority constitutes a potential security threat. The academic freedom and the liberal space that characterize university campus in order to nurture a healthy student life are therefore refrained from Palestinian students merely due to their ethnicity.

Based on these facts one can reasonable question whether such discriminatory behavior continues to be a problem in university campuses and it is this particular matter that will be thoroughly addressed in this document. Through the analysis of recent case studies related to discriminatory actions towards Palestinian students, this study will particularly focus on the reality of Haifa University which covers the highest number of Palestinian students since the early 1970's.

This report is documented by Baladna Association for Arab Youth, an NGO mainly engaged in the empowerment of young Palestinian leadership, which considers student action as vital for leverage over this leadership. The report is based on the growing number of discrimination complaints which is affecting all aspects of life. There is a need to examine whether these are separate cases of discrimination or if they form part of a grander scheme of governmental policy.

This aim of this document is to consolidate action and stir public debate on issues of freedom of speech and the existence of a liberal academic platform for Palestinian students. Such debate would need to occur between university authorities, the Academy, and the general Israeli public.

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<sup>3</sup> Boimel (2002) p. 263-265.

<sup>4</sup> Boimel (2002) p. 264.

<sup>5</sup> Boimel references articles by researchers such as: Alex Reches, Zeev Shif, Henry Rosenfeld. Boimel (2002) p. 264.

As mentioned earlier in this document, the focus will be primarily set on Haifa University. Further research on this topic in prospective publications will expectantly include other institutes of higher education.

The document will cover the following aspects:

**The campus as a platform for freedom of expression and public action-** This chapter will firstly examine the procedures that exist within the university in reference to any political or public action which students engage in. Secondly, a focus will be set on the University's response to any activities and actions Arab students have taken part in. This chapter we will use protocols of the Educational Board of the Knesset which refers to the subject matter.

**Acceptance terms for enrollment into different academic departments:** The issue has been raised several times in instances where Arab students noted that acceptance terms are discriminating on the basis of their ethnicity. This chapter will examine these cases and question if these are indeed unjustified discrimination acts against Arab students.

**Discrimination for acceptance to dormitories:** Here too it has been suggested that the acceptance terms to dormitories are discriminatory towards Arab students. Despite a legal precedent by the federal court ruling that preference of army veterans over Arab students in acceptance to dormitories is discrimination, it still frequently occurs.

**Discrimination receiving grants and scholarships-** Scholarship grants are provided partially through special programs within the section of the Dean's Office of Students at Haifa University. Due to the numerous complaints Baladna has received from Palestinian students however, we decided to examine this procedure as well as the presented limitations to access such grants and scholarships.

Mapping the treatment of Haifa University towards its Arab student body is a first step in a general scheme towards shedding light on the approach towards this minority group by all higher education institutions. The case of Haifa University will help establish initial steps towards changing the existent reality and raising skepticism towards regulations implemented by other academic institutions.

## **The Arab/Palestinian Society in Israel & Higher Education: Facts and General Background**

According to the Central Bureau of Statistics, in the year 2006-2007 only 9.3% of students were Palestinian. Amongst B.A. students only 11.2% were Palestinian that same year. In Haifa University there were 16,705 registered students that same year, 22.1% of them Palestinian. Based on this data, Haifa had the highest concentration of Palestinian students attending Israeli universities. 4.3% attended Ben Gurion University, 8.3% Bar Ilan University, 5.2% Tel-Aviv University and 8.6% Hebrew University.

Education is one the most important measurements to evaluate the progress and development of a society. The educated have always been considered the agents of change affecting progress within society. Higher education is a tool that increases the human capital of a population and thus is a crucial component in processes of growth and progress. The low percentage of students previously mentioned indicates a poignant situation of the Palestinian community in Israel. A general examination of the social, economic, educational and cultural status of this society reveals many problems and flaws, which directly resonate with government policy.

Changing the current reality could thus create a significant increase in the number of highly educated amongst the Palestinian population in Israel, as well as an increase in the number of Palestinian students and academics in all disciplines. This basic need has not been neglected by the Deputy Committee appointed by the Board for Design and Budgeting of Higher Education, mentioning the following in their 2002 summary report:

—Due to the economic, social and political changes that have happened within the Arab society after the creation of the Israeli state, education has become the most important resource for their national and social existence and placement within the Israeli society. These changes have brought an increase in the status of academics, considered to be the focus of the process of political and social rehabilitation and the unification the objectives of the Arab population...”<sup>6</sup>

When observing the reality it is clear that little has been done since the writing of this report.

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<sup>6</sup> The recommendations of the Deputy Committee report chaired by professor Majd-Al-Haj, for the Board for Design and Budgeting of Higher Education Amongst the Arab Population were submitted to the Board on December 12<sup>th</sup> 2001.

## **The Campus as a Platform for Freedom of Expression and Community Activism**

### **History:**

A simple read of the opening words on the official website of Haifa University reveals the following statement:

—The University of Haifa is the most pluralistic institution of higher education in Israel: sons and daughters of both veteran cities and development towns, kibbutzim and moshavim, new immigrants, Jews, Arabs, and Druzes, IDF officers and security personnel—all sitting together on the bench of knowledge in an atmosphere of coexistence, tolerance, and mutual respect. The University considers the link between academic excellence and social responsibility as its flagship, and service to the community as one of its important goals.”<sup>7</sup>

The question arises whether this statement reflects actual reality and whether the ~~atmosphere~~ of coexistence, tolerance, and mutual respect” really dominates the University’s relationship with its Palestinian students. Does the University really allow Palestinian students the possibility to maximize their access to academic excellence while at the same time permitting them the freedom to criticize Israeli policies?

The following case shows us the general atmosphere that dominates the hallways of Haifa University:

In early 2009, on the evening of the 18<sup>th</sup> Knesset elections, Israel operated an offensive attack on Gaza. As a result of these attacks, approximately 1300 civilians were killed, one third of them children. The leading voice amongst the Jewish population translated into sweeping support of this violent attack, and the general atmosphere in the country prohibited voices of criticism to take part in the discourse, even on university campuses.

On 6 January 2009, police forces entered the campus of Haifa University in order to stop student demonstrations that were held against the attack on Gaza. The police force had entered after the University authority authorized their entrance. A Jewish student demonstration in support of the events in Gaza that took place at the same remained untouched. The special police forces used extreme and brutal violence against the Palestinians students and arrested 11. Following the events, one student was referred to the hospital for medical attention.

This chain of events demands a critical study of the current reality dominating Haifa University since the case of the Gaza demonstrations are far from being an exceptional one. In many other instances special police forces have entered the campus in order to forcefully prohibit demonstrations held by Palestinian students. Palestinian activists tend to be engaged in strong criticism towards the policies of the Israeli government particularly addressing Palestinian citizens of Israel and the occupied territories. The poignant situation does not end here however; many students have reported

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<sup>7</sup> [http://www.haifa.ac.il/html/html\\_eng/welcome.html](http://www.haifa.ac.il/html/html_eng/welcome.html)

discriminatory and racist attitudes towards them from their fellow Jewish students, and faculty and staff members.

The day the Gaza demonstrations took place, Attorney Mazen Copti, member of the Board of Trustees of Haifa University, submitted his resignation in protest against the University's treatment of its Palestinian students. Copti mentioned in his resignation letter that –this [his resignation] is the little I can do in order to express my objection to the discriminatory treatment of the University towards its Arab students.”

As mentioned, this event is no exceptional case. In the following report we will address the complaints of Palestinian students who have been victims of discrimination from the University authority and administration.





## Freedom of Expression and Action: The Limitations of University Regulations

On 4 July 2009 eight active student members of leftist political movements Hadash-Balda and Meretz hold a demonstration on the Haifa campus covering their mouths with tape and holding signs in Hebrew and Arabic saying –For the information of the Student Association: It is better to be silent than to be racist.” They also distributed flyers saying –Stop! Racism is in front of you!” This symbolic action occurred in response to the racist remarks expressed against Arabs by a Student Association’s spokesperson

The administration, the Dean of Students, and security forces considered this student action a violation of the procedures for social activism on campus. The students faced a discipline committee and were charged with several convictions. Below is a summary of the violations for which they were condemned:

*“Inappropriate student behavior; interruption of lectures and research or University work; disobedience of University authorities; violation of University procedure referring to social activism on campus.”<sup>8</sup>*

At the end of the hearing, Judge Dr. Khaled Ghnayem Zilka acquitted the students and mentioned that —This is an expression of freedom of speech...The University must clarify its regulations and procedures as for public activism.”As thus, the University must regulate its public activity whilst remaining true to the value of freedom of speech as anchored in the basic rights of the country.

For a better understanding, we will now shortly focus on the legal aspect of this subject.

On 29 May 2007 the Knesset passed a new law affecting the principles of students’ rights in Israel. In section two of the legislation it is mentioned that:

–The purpose of this law is to determine the basic rights of the Israeli citizens as well as the residents of Israel and their accessibility to higher education together with student rights values. The obligation of Israeli society is to protect these rights as well as the equal opportunity to higher education.”

The value of freedom of speech is pointed out in section 5 and 6 of this law:

5. Without diminishing every right granted by the law, every student has the freedom to express his or her opinions and views about the content of the subjects and values studied and expressed; **this section is not meant to limit the authority of an institution when regulating the means of expressing opinions and points of view to reinsure an appropriate study environment (my emphasis)**

6. Every student has the freedom to protest in every subject and matter, especially in subjects concerning the rights of students **according to the rules that are written in the University regulations (my emphasis)**

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<sup>8</sup> See protocol of Behavior Committee, Haifa University, case number 94/07

These sections of the law allegedly anchor the rights of freedom of expression and assembly. This however is only in accordance with each institution's regulations and norms. Therefore, each institution can limit the right of freedom and expression with its own regulations in the interest of maintaining a ~~proper~~ intact study process." This gives any academic institution leverage to completely ignore the basic law of respect and freedom of the democracy that is Israel.

Upon the surface it appears that this law has given Haifa University the right to limit the right and freedom of action on their campus. It did not take long before the University assumed such powerful right. For instance, on 24 December 2009 several Palestinian students from different political groups in Haifa University were denied from performing a demonstration by the Dean of Students Yoav Lavy. Lavy claimed that ~~throughout~~ the day we received information that student groups opposing this demonstration were organizing to stop the demonstration at all costs." Levy also mentioned that considering the tense circumstances, there was high certainty that this demonstration would have caused a serious violation of the public order on campus and thus the demonstration that was first approved, had to be subsequently denied. ~~All~~ this in accordance with the authority granted to us [Haifa University] in the university's public activity regulations."<sup>4</sup>

This case took place almost two years after a deliberation on the issue of freedom of speech and action was released by the Committee of Education Culture and Sports on 9 January 2008. This debate focused on the violation of freedom of speech and political action in universities. It also mentioned that Haifa University limits the freedom of speech and student assembly. In the summary of the report, the committee Chair and Knesset member at the time Michael Malkior said: ~~everything~~ extremely opposes the values of democracy and freedom of speech, this violation is worse so when opposing students' freedom of speech which should definitely not occur in universities of Israel."

To sum up this chapter, I would like to call for a severe protest against the conduct of Haifa University in this matter and the cases analyzed as far. It seems as though the University of Haifa has not realized it is severely violating fundamental constitutional rights. As long as it maintains this position, the freedom of speech and action is at great risk.

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9 A letter response from Professor Yoav Levy to the representatives of the Arab students' cells: Iqraa, Sons of the Land, Balad-Tjmoo 29.12.2009

## **Approaches towards Political Assembly of Palestinian Students in the University of Haifa**

Palestinian student activism begun in 1958-1959 when politically active law students created the first Arab student council in the Hebrew University of Jerusalem. This organization was created as a response to the lack of institutions addressing the needs of Palestinian students as collectives and individuals. Their agenda used to deal with obstacles Palestinian students face such as cultural and linguistic difficulties creating a feeling of alienation, the allocation of funding and scholarships that universities do not supply as well as political anxiety. They were known above all however, for their activities of political character which allowed a platform for activism concerning issues of discrimination of the general Palestinian population within Israel<sup>10</sup>

Since then Palestinian student organizations began to rise in other Universities. Together with Palestinian student committees they operated parallel to the student government, in which any student can become a member. However, unlike the student government which gains recognition and budget from the academic institution, these committees are not officially recognized. Therefore, their activities are not funded despite existent dialogue between both student organizations.

Throughout history, Palestinian student movements in Israeli universities became known for its commitment to nurturing Palestinian national identity. This occurred even under extreme pressures when universities used security forces beyond those of the university itself, extending to assistance of the Shabak. Many Palestinian students known for their political activities have been occasionally summoned for investigations by the Shabak. Their activities were further used as an excuse to place them on disciplined trial and charge them with serious punishments such as suspension, expulsion from university ground and so on.

On 15 January 2009 Ali Kadari, chairman of the Jabha-Hadash movement in the University of Haifa, was summoned for a trial with the Shabak section of the Akko police department. It was claimed that Kadari organized activities against Israel's attacks on Gaza. In March 2008, Mhammad Jamal, an M.A. political science student of Haifa University and member of Hadash-Jabha, was summoned for a discipline trial at the University due to protest activities he took part in when Knesset member Avigdor Liberman visited the campus. In yet another case, 10 students, 7 of whom member of the Arab student council, were put on disciplinary trial for protests they held in 2008 against the government's legal advisor who had recommended not to charge police officers for killing 13 Palestinian citizens of Israel in the events of October 2000.

Following up on a previously mentioned case, five of the students who took part in the Gaza demonstrations organized by the Arab student Council in the beginning of 2009, are still facing ongoing trials dealing with these events.

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<sup>10</sup> Boimel, Yaair. The Treatment of the Israeli Establishment towards Arab in Israel: Policy, Principles, and Activities: The Second Decade 1958-1968. Doctoral Dissertation. University of Haifa. February 2002. P. 263-265.

One of the students, Ali Haj, active in Islamic movement *Ikraa*, was expelled from the University for two weeks. When he returned he was informed that he was no longer hired for his position as professor of mathematics. Haj, an M.A. student in Mathematics, was brought to discipline trial which up until today has not come to conclusion. The other four students are following similar trials.

### **Allowing Police Forces into the Campus:**

On 6 January 2009 Palestinian students held a demonstration on the campus of Haifa University opposing the Israeli military attack that had killed 1,300 civilians in Gaza. Haifa University informed the police force allowing them to enter the campus with special units and to use excessive power. Eleven students, including two women, were arrested whilst one student had to be rushed to the hospital. The Jewish student demonstration supporting the Israeli army in Gaza took place at the same time but remained untouched by the police forces and unopposed by the university administration.

This case raises skepticism as to the actual freedom of speech promised by the Haifa campus to those who might hold unpopular opinions. The assumption is that they too need a liberal platform based on the right for freedom of speech (a guiding light of the academic institution). In democratic societies or those aiming to assume enlightened, the university campus should be the ideal place to out one's opinion for it is founded on the principles of freedom.

However, the University's cry for a police force, which thus allowed them to enter the campus to "handle" the Palestinian students, firstly opposes universal values of freedom, equality and justice, and secondly serves consequential problems on the following levels:

**Delegitimizing freedom of expression and protest activity:** The fact that the University chose to be intolerant towards students opposing government policy (which receives undeniable support from the public) serves as a clear message that political opinions and protests are prohibited whilst those who do decide to immerse in them might face a police force.

**Delegitimizing Palestinian students:** The Gaza protests are not the first time in which Haifa University shows zero tolerance towards protest activity from Palestinian students. Through its intolerance and mismanagement Haifa University has immersed the external atmosphere into the student campus. This received a comprehensive reference in the "Or" report which investigated the events of October 2000, a time of numerous clashes between Palestinian citizens and police forces.

The above mentioned consequences clearly indicate that the wall between the campus: an alleged independent academic space based on universal values of equality and freedom, and the outside world is non-existent. The campus has become yet another agent amongst many others that serves governmental policies to identify the Palestinian minority in the country as a security threat.

The fact that the students who had protested against the actions in Gaza were summoned for "clarification talks" by the Shabak points out apathy from the University's side for the insertion of the outside reality into the campus.

Even if the demonstration held on campus were allegedly illegal, this does not give the University legitimacy to authorize a police force into the campus. Important to mention moreover, is that according to many testimonies the behavior of the Palestinian students in question did not oppose any kind of threat to the order in the University even if they were not in accord with University procedures. It becomes apparent that the refusal of the

University to approve the protest to take place created an atmosphere of de-legitimization and intolerance.

In such a tense atmosphere it would have been more appropriate if Haifa University had acted with moderation by implementing a different strategy. In this case the violation of the Palestinian student's rights was disproportionate and has created serious fractures that require an extended length of time to heal.



## **Discrimination during the Enrolling Procedure for the Various Disciplines Offered at Haifa University**

One of the main components that affect the access to higher education are the requirements for enrollment. A report that tackles the rights for higher education in Israel published by ADVA center (January 2007) mentions that officially there is no discrimination in the acceptance requirements implemented by academic institutions.<sup>5</sup> In practice however, there are several factors that severely limit peripheral communities – including the Palestinian community— to fulfill these requirements leading to a relative low representation in institutions of higher education. The two main causes of these limitations are the quality of the high school *Bagrout* certificate together with the psychometric examination. Data found in the same report, furthermore, pointed out that amongst high school graduates between 1997 and 2005 only 14.9% Palestinians were studying at universities or academic colleges (2.7% in college) as opposed to 32.4% Jews (11.4% in college). Furthermore, in 2004 Palestinian students composed 9.8% of the undergraduate student bodies at universities in contrast to 9.0% in 2000. Only 5.5% of the Palestinian students studying for their undergraduate degree in 2004 attended public colleges while 4.7% of them attended private ones.

An examination of the acceptance rate to the different fields offered at Haifa University indicates the existence of an age criteria to access a number of academic departments. A legal petition submitted to the Court by human rights organization KARAMA, and in the name of the Committee of Supervision over Issues of Arab Education, raises the problematic nature of this age criteria practiced by all institutions of higher education in Israel, an inappropriate discrimination towards Palestinian students.<sup>6</sup>

When focusing on Haifa University one can find this discriminative age criteria in the following departments: sciences, biology, social work and health, communication clinician, nursing, physiotherapy, occupational therapy as well as teaching formations. In all these departments candidates are required to be 20 years of age or higher, with an exception in occupational therapy where candidates are obliged to be above 19.

In these cases, the age criteria for enrollment generally discriminate against students that have not reached the required age. This specifically discriminates Palestinian students since the majority starts their academic education at the age of 18 when they finish high

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<sup>12</sup> Enrollment into a number of academic fields in certain academic institutions is based on discriminatory acceptance requirements. One of such examples is the age barrier that the Medical school of Tel Aviv University sets, not allowing anybody under the age of 20 to be accepted. Soldier students however, are exempted from such norm. When examining this case it becomes clear that mostly Arab candidates are affected by this policy. Henceforth, this a discriminatory acceptance limitation based on ethnicity.

<sup>13</sup> 580/07 District Court House in Tel Aviv KARAMA organization against Tel Aviv University

school for they are not required for any army service. Most of the Jewish candidates, on the other hand, start their academic education after the army service, except for soldier students who are not subjected to any age requirement. In the legal petition of KARAMA organization it was claimed that “the policy” in which the universities condition the acceptance with an age requirement, known as the ‘**age trick**’, violates inappropriately and disproportionately the value of equality, right for education and the freedom of labor. This policy is invested with discrimination based on ethnicity for it mainly affects Arab candidates in a place where higher education need to be equally accessible to all individuals of society without discrimination. In their petition KARAMA organization mentions the acceptance requirements that focus on age limitations in the different institutions of the higher education for the academic year 2007/08.

<b>Institution</b> ----- <b>Subject</b>	<b>Tel-Aviv University</b>	<b>Haifa University*</b>	<b>Hebrew University</b>	<b>Ben- Gurion University</b>	<b>Technion</b>
<b>Social Work</b>	20 years old	20 years old	20 years old	20 years old	_____
<b>Nursing</b>	20 years old	20 years old	20 years old	20 years old	_____
<b>Communication Clinician</b>	20 years old	20 years old	_____	_____	_____
<b>Physiotherapy</b>	20 years old	20 years old	_____	20 years old	_____
<b>Occupational Therapy</b>	20 years old	19 years old	20 years old	_____	_____
<b>Medicine</b>	20 years old	_____	_____	20 years old	19 years old
<b>Emergency Medicine</b>	_____	_____	_____	19 years old	_____
<b>Biology</b>	_____	20 years old	_____	_____	_____
<b>Teaching Instruction</b>	_____	20 years old	_____	_____	_____

\*This data is also valid for the 2008/9 academic year.

From the chart we can see that Haifa University presents an age limitation in most of its departments. In the two cases where there is no age limitation the subject is not taught at Haifa University.



While age as an acceptance criterion presents a direct limitation to the access to the different academic departments, we can find that there are indirect age limitations which inappropriately discriminate Palestinian candidates that request to study at academic institutions. The KARAMA organization's appeal mentions in this issue that the latest date one can apply to a subject of higher education is the first of June every year. This date falls before high school students take their Barghout examinations in July and August, which inhibits them from registering at university as soon as they finish high school. Those mostly affected by this are Arab students since most Jewish students need to serve in the army and thus applying to university directly after high school is not relevant to them. As a result, an Arab student is forced to wait at least a year when the registration reopens to apply for Haifa University.

KARAMA centre mentions in their appeal that there is an exception to the age limitation that benefits those that serve in the army only. These are the soldier students who as part of their army service study in academic institutions, in none of these cases does the age limitations apply to them.

## **Discrimination in the Selection Procedure for Dormitories**

On 17 August 2008 Haifa District Court House ruled a precedent<sup>7</sup> stating that including army service as a criteria for the distribution of the dormitories in Haifa University discriminates Palestinian students on the basis of ethnicity. The judge mentioned in his argument that using army service as criteria for the distribution of dormitories forces the exclusion of Palestinian students and violates their chances to compete for space in the process of applying for student housing. He claimed students who have served in the army, mostly Jewish students, gain approximately 35% of the points that allow them to access the dormitories while student who have not served in the army, mostly Arab, will not gain such points. The District Court House also claimed that the consequences of using army service as criteria is a violation of basic rights and therefore need to lean on the main legislation that stands in condition of the proportionality exam.

It is important to mention that most of the sons and daughters of the Palestinian minority are exempted of serving in the army. Due to a limited amount of dorms a point system has been implemented to give priority to worthwhile or in-need students. Hence, the starting point of an Arab student in most cases is 0 while that one of a Jewish student is 20 at the very minimum since most of them have served in the army.

When applying to the District Court House, ADALAH claimed that the rest of the general criteria which serve as aid to students in need receive less importance than the army service criteria. For example, a candidate with a low income receives 25 points for this criterion alone. ADALAH mentioned that if correct consideration of economic status (which should be the basic criteria for acceptance to dormitories) is made, the reality would change. Since the economic situation of Arab students is much more drastic than that of their fellow Jewish students, the percentage of Palestinian students with dorms would be much higher than the percentage of those accepted in practice (35%). This claim was adopted by the district Court House in their ruling.

It is also important to mention that before the ruling, Haifa University claimed to the District Court House that using the army criteria for economic reasons only and not out of ethical consideration. After the ruling, Haifa University appealed to the Higher Court claiming amongst other things that using the army criteria was out of ethical consideration for those that had served for their country. ADALAH claimed that the position that the University takes gives way to many other cases in which the army criteria can be used. This will allow Haifa University to transform this criterion into a tool to increase the socio-economic gap between the two ethnic groups.

Haifa University appealed to the Higher Court which allowed the delay or the hindering of the ruling of the District Court House until new ruling in this matter.<sup>8</sup>

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<sup>14</sup> 207/05 NAAMNEH against Haifa University.

<sup>15</sup> 8695/06 Haifa University against NAAMNEH

In their summary to the Higher Court, ADALAH mentioned that Haifa University's legal approach that attempts to validate army service as a sound criteria points out apathy from the University when it comes to the wide range of social and economic effects this criteria has. This is clearly a violation of the value of equality on the basis of ethnicity. It was also claimed that the Law of Absorbing Dismissed Soldiers (1994) offering social benefits to dismissed soldiers entitles them to a five year aid in tuition fee and housing. ADALAH claimed that ~~the~~ deviation from this legal arrangement leads to a situation that discriminates on the basis of ethnicity, opposing constitutional principles."<sup>9</sup>

On 07.07.08 Haifa University and ADALAH came to an agreement in which the appeal to the Higher Court was be dismissed due to the legislation of the Law of Dismissed Soldiers (correction 7) in 2008. The law was ruled approximately close to this date and thus allowed every academic institution to give general rights, such as preference in dormitory selection, to students that have served in the army. The Court Case mentioned that ADALAH serves the right to attack this criteria in the court if there will be changes in the criteria like the proportionate weight of the army criteria (???)<sup>10</sup>



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<sup>16</sup> ADALAH press release 29.05.07

[http://www.adalah.org/heb/pressreleases.php?pr=07\\_05\\_29-1](http://www.adalah.org/heb/pressreleases.php?pr=07_05_29-1)

<sup>17</sup> The court ruling:

<http://elyon1.court.gov.il/files/06/950/086/n13/06086950.n13.pdf>

## Discrimination in Grant Offering

Section 14 of the Law for Students Rights 2007 refers to the right of students to receive grants and scholarships:

–Scholarships that are granted by any institution will be distributed according to criteria that are known to the general student body of an institution as well as its candidates. When granting scholarships there will be a prioritization of presenting scholarships on socio-economic bases as well as academic achievements and excellence; **in this ruling there is no section that prohibits scholarships according to other criteria (my emphasis).**

Here too like in other places, the law allows the existence of other improper criteria for the distribution of certain scholarships.

An initial examination of the grants sponsored by Haifa University (which can be further studied on the official website of the Dean of Students who is trusted with the welfare and need of the students) reveals that the most dominant criteria in the grant receiving category is based on considering army or national service. This fact raises questions on the availability of grants for Palestinian students.

Under the title that elaborates on the different kinds of scholarships, a subparagraph mentions scholarships that are based on economic grounds:

The entitlement for scholarship will be determined by the number of points a student gains according to his or her situation based on two parameters: (1) economic situation 0 to 50 points (2) special needs 0 to 25 points...<sup>11</sup>

An examination of the parameter –special needs”, points out that this is mostly relevant to Jewish students:

Special needs. Data to be considered for eligibility for grants:

Regular military service/civil service (according to the length of the service), reserved duty that is longer than ten consecutive days or 35 cumulative days (for senior students), the student job, the number of persons supported in the student's house, emancipated students, a relative from first degree that is severely sick (with the condition that affects the economic status of the family), a partner that is a student for a BA degree or a soldier in regular service.<sup>12</sup>

As the case of the division of the dorms, the University includes irrelevant considerations -army or civil service- to a matter of economic assistance. Thus the only criterion that should be relevant is the economic situation of the student and nothing else. Here too, entitlement to grants and scholarships is subjected to point accumulation in which the

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<sup>18</sup> The official website of the Student Dean of Haifa University. Accessed 10.03.10  
[http://dekanat.haifa.ac.il/index.php?option=com\\_content&task=view&id=22&Itemid=26](http://dekanat.haifa.ac.il/index.php?option=com_content&task=view&id=22&Itemid=26)

<sup>19</sup> See link above

starting point of a student that serves in the army, mainly Jewish, is greater than that of an Arab student who in turn is not obliged to army or civil service.

A further evaluation of the division of points for the entitlement of grants or scholarships based on financial situation indicated that the main parameter is income per person. However, once again the University included the army criteria for the consideration of point accumulation. Furthermore, the calculation of the income includes the category of “reliant persons”, thus **siblings/children in regular army/civil service (my emphasis)**.

Another relevant example is the case of the ISEF foundation, one of the main foundations in the country that works in collaboration with the Dean of Students and acts as a social factor in empowering students. This foundation elaborates its activity on the Dean’s website as followed:

1. Member of the foundation receive partial grants for tuition.
2. The foundation acts as a unified social network in granting academic and economic aid through tide collaborations with academic bodies within the University.
3. The students are asked to carry out four hours of weekly activity in one of the social activities the foundation runs across Haifa as well as participating in several training meetings along the year. \
4. Participation in theoretical activity- student members of the foundation are asked to participate in monthly three hour group meetings.

Examining the conditions to apply for this grant as they appear on the registration form points out that civil or army service is a criterion for receiving this grant.<sup>13</sup>

When examining almost all of the grants that the Dean of students offers, whether offered directly by him or by external foundations, the army criteria always applies. This is also seen under the section for “social activism” on the Dean’s website. The essence of the program includes the army criteria. For example one of the main projects- the ETGAR project- that supplies participants with 5000 NIS for a 115 hour of activity during the whole project is meant only for released soldiers. There is currently only one project that is open to Palestinian students.

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<sup>20</sup> The Dean of Students website. Accessed 10.03.10.

[http://dekanat.haifa.ac.il/index.php?option=com\\_content&task=view&id=16&Itemid=36](http://dekanat.haifa.ac.il/index.php?option=com_content&task=view&id=16&Itemid=36)

## **The Significance of the Involvement of Security Considerations in the Academic Space**

During the writing of this document, the eighteenth elections for the Israeli Knesset took place. In these elections right wing parties gained an overwhelming support. From these parties –Israel Beytenu”, a radical right wing party, received enough mandates to make it the third largest political party in Israel. Due to the political nature of building a coalition in Israel, this party became extremely sought after by the two other large parties to create a ruling majority. Hence, the two other moderately centre-right parties published statements in which they abided to all of Beytenu’s demands. One of these demands was granting obvious preference to dismissed soldiers who have served in the Israeli army or those that took part of other services associated with the security of the country. The army service would allow them preference in the enrollment to academic institutions, aid in housing, job security, as well as many other benefits.

Due to the existing reality in Haifa University and most probably in other universities as well, there is no doubt that Beytenu’s policy will be received with open arms by Israeli academic institutions. Already today universities act as fertile grounds for improper preference for those that have served in the army. This means that Palestinian students do not receive the same preferences not only because they have not served in the army which they morally, ethically and strategically cannot but merely because they are Palestinian.

The intensification of the army criteria amongst the Jewish public in Israel have infiltrated all aspects of life. Recently, there has been a tendency to publicly speak out against artists who have not served in the army. The long existent militarization of the Jewish public has reached dimensions that can lead to its own destruction. It does not end with the matter of serving or not serving in the army. The consequences of the militaristic atmosphere that prevail Jewish society can be found in the results of the eighteenth Knesset elections in which every party that used slogans against Arabs received higher mandates.

This atmosphere has managed to infiltrate into the hallways of the university campuses in Israel. Accepting security considerations into the university arena is a scapegoat for Israeli policy, especially the most recent extreme policy. The continuation of such policies in and outside of the campuses will not only create constant tensions but it might also lead to serious clashes between Arabs and Jews.

## Racist Remarks Against Arabs by Professors

During the 2004/2005 academic year Haifa University student Fadi Abu-Younnes, active in the Hadash-Yaha Movement on campus, submitted a complaint to the University authorities against political science professor David Bokai. The complaint came after Abu Younnes attended one of the professor's lectures in which he said that "Arabs must be shot in the head," "Arabs are stupid" and "Arabs are nothing but sex and alcohol." Due to these statements the legal advisor of the University requested an investigation against Bokai on the grounds of inciting racism. Bokai denied the above mentioned statements calling them "bloody deeds."

Parallel to this the Anti-Defamation League, a prestigious Jewish organization that has been following acts of anti-Semitism and racism for more than 90 years, came out against the slandering discourse used by the professor. It appeared that the professor had written in many of his articles, amongst other claims, that "When an Arab says *Wallahi* they probably mean to lie," and "amongst the Arabs and the Muslims there is no condemnation, no sense of regret, no pains of conscience, nowhere, not in any social layer or social standing."

The Deputy National Director of the Anti-Defamation League Ken Jacobson expressed in the mainstream media that "these are the worst stereotypes. We need to know better than anyone else that we must not engage in such expressions." He also mentioned these sayings are "disturbing generalizations that express destructive stereotypes."<sup>14</sup>

Professor Yosi Ben Artzi, the Haifa University Rector, examined this case and announced that "some of the sentences were combined in a manipulative matter while the sayings about shooting Arabs in the head were never said." Bokai responded through the media that "It is true that things could have been worded in a less generalizing way... but it's true that my claims generally represent the reality." Haifa University responded saying "We do not check or approve articles from University professors and we do not have responsibility over them."<sup>15</sup>

Following this case the University began disciplined procedures against the students that had complained. The University prosecutor asked to punish Fadi Abu-Younnes for interrupting the classroom and calling professor David Bokai "racist." During the sitting, Abu Younnes' Attorney, Yusef Jabarin, claimed that Bokai distributed a controversial article that he wrote, in the classroom. This article, amongst other things, had sayings such as "anthropologists claim that when an Arab or Muslim says *walahi* they probably mean to lie." In a different article Bokai wrote that "the most important combination in understanding the Arab personality is the combination between submissiveness to whom they grasp as powerful and between cruel and violent savageness." He also wrote that the Arabs "dance around their guests from fear that they might flirt with their wives and daughters."

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<sup>21</sup> Miron, Rappaprote "The Haifa University Punishes a Student that Protested against Racism" From *Haaretz* newspaper 28.04.05

<sup>22</sup> See above

## SUMMARY

The reality of Haifa University is significantly remote from that of a campus based on values of academic freedom and action. The fact that in many cases the University acts as the extension of Israeli policy when addressing the Palestinian people as a whole indicates that the freedom of action is consciously limited, foremost when it comes to Palestinian students within the campus. This policy is expressed not only in issues relevant to freedom of action and expression but also in the processes for enrollment to universities, scholarship granting procedures as well as in the lectures themselves. In all of these cases it becomes clear that the general discriminative policy of Israeli governments can be identified with the decision-making procedure implemented by the University authorities.

University authorities, especially those of Haifa University, covering the highest number of Palestinian students, should hold immediate deliberation to lead to a new vision of the account of freedom of expression in Israel as well as the obligations of a campus in a multinational society. The indifference of Haifa University's administration of the tense atmosphere within its campus, fully created under their responsibility, has come to destroy the value of freedom of speech. There is definite reason for serious concern that we will be facing a reality in which it will be too late to find a suitable solution.

This reality has dominated organizations of social change and human rights in Israel, especially Palestinian organizations. These organizations were apathetic to the human right violations of the Palestinian students especially when political parties like Beytenou felt the urge to implement their radical policies. Applying Lieberman's policy is in fact a strike against universal values, the basis of civilized societies. This fact should trouble the Jewish population just as much as the continuation of integrating radical values into Jewish communities in Israel which has shown signs of failure in international politics.

Baladna's Association for Arab Youth has been formulating a plan for the creation of a new discourse in all of the covered issues such as freedom of speech and action on campuses in Israel as well as prohibiting all forms of discrimination existent in the academic sphere. This discourse will be created together with Palestinian political groups within the campuses that work closely with promoting the rights of Palestinian students as well as the protection of Palestinian people's rights.