A documentary puts Israeli justice on trial

By Olga Gershenson

The audience was remarkably quiet during a screening of “The Law in These Parts” at the Jerusalem Film Festival. My fellow Israelis, who usually have no qualms about expressing opinions during a movie, were reduced to silence. One woman in the audience answered an occasional cell phone call, sat absolutely still. Even after the movie ended, there was a moment of shocked silence before the audience burst into applause and called out the director, Ra’anan Alexandrowicz, and the producer, Liran Azemor. It was very clear which film would win the prize for best documentary.

“The Law” explores the legal side of military rule in the occupied territories. A complex system of orders and laws has developed since 1967 that allowed for the creation of settlements, justified land confiscation and provided a basis for arrest and imprisonment of thousands of Palestinians, many of them without a court hearing or anything resembling the due process that any citizen would expect. It was the audience that gathered for the festival in the beautiful Cinematheque building overlooking the Old City who were shocked and moved by the complex system that has defined everyday life of Palestinians over the past 40 years but is all invisible to most Israelis.

What Alexandrowicz shows masterfully in his carefully constructed film is that the law is not objective. It is a kind of narrative, and like any narrative, it relies on interpretation. Throughout, the director draws a parallel between the process of legal judgment and that of documentary filmmaking. Both are undertaken by people with their own views, goals and agendas.

In its thoughtful self-consciousness, the film is a part of an Israeli documentary tradition that is highly aware of its medium. Like Asher Ts’ali’s “Don’t Touch My Holocaust” (1994), Yulie Gerstel’s “My Land Zion” (2005) or Yael Hersony’s more recent “A Film Unfinished” (2010), neither the identity nor the responsibility of the filmmaker is obscured either on or off screen.

From the opening moment, where the director’s voiceover explains, “This is my documentary film,” the human agency of the construction of narrative is evident. On screen, the assistants are putting together the sets – a chair and a table – under the lamps, cables and microphones, with a large screen onto which the archival footage will be projected in the background. On this set, Alexandrowicz interviews a number of former military judges and members of the Israeli High Court of Justice. Throughout these interviews, the director keeps reminding us that this is his film and hence his interpretation of judges’ decisions, which themselves are interpretations of law.

These interviews also show how the laws themselves develop in response to personal agendas, political goals and perceived military needs, rather than to any abstract idea of justice. One of the elderly judges acknowledges that in 1967, Israel decided because there was a political need to “keep order,” the Israeli Defense Forces should establish a legal system to rule the territories rather than to extend an existing Israeli legal system to include the occupied land. An entirely new legal system came into being, designed, as the judge explains, “to keep order, not only justice.”

Amazingly, Alexandrowicz succeeds in presenting his indictment of the Israeli legal system without demonizing the judges. His camera is sympathetic to the old men, and he shows their human vulnerability and their moments of hesitation. They are the products of their time, and they did the best they could, under the circumstances. And yet, the story that emerges from the judges’ answers to Alexandrowicz’s unburdened and calm questioning is deeply disturbing to any audience and perhaps especially to Israeli ears. One of the more shocking stories reveals the roots of legal decisions creating a basis for the settlement movement.

“The Law in These Parts” explores the Israeli legal system for the occupied territories.

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The goal of the eradication of the Jewish people. Without giving away any of the twists of the plot, one is hard pressed to see that outcome in the story here. That doesn’t make this a bad film, because there certainly were stories like this. The filmmakers may think they leave us with a hopeful ending, but from a Jewish perspective it’s hard to see it that way.

In a world where some countries are still in denial about the crimes of the Holocaust, it is indeed a positive sign that France is producing films like “La Rafle” and “Sarah’s Key” that raise the question of how a supposedly civilized nation could do this to its own citizens. As we learn each Yom Kippur, the first step toward atonement is recognizing that you’ve done wrong.

By Daniel M. Kimmel

Only weeks after the 2010 French film “La Rafle” opened here, we get another film about the 1942 roundup of French Jews.

“Sarah’s Key” is based on Tatiana De Rosnay’s novel and tells the story of Julia (Kristin Scott Thomas as a journalist investigating the 1942 roundup of French Jews).

The film follows the attempt of her husband, Etienne (Gaspard Ulliel), to uncover the history of a family he discovered in his research. The film’s tense pacing, tense performances, and the final revelation force the audience to reinterpret their own lives.

Sarah endures horrible losses, but is eventually taken in by a French farmer, managing to survive the war. Indeed, most of the French characters we get to know as opposed to anonymous police and guards — are good people. It’s reassuring that there were good people who did the right thing, sometimes at the risk of their own lives. However, it’s also a bit easy on the viewer in that the “bad” Frenchmen are interchangeable while the good ones are individualistic and we get to know at some level.

The present day story also raises some interesting questions, not so much as to Julia’s marital problems — she’s pregnant but her husband thinks they’re too old for another child — but as to the legacy of this horrendous chapter in history. On the one hand, the powerful narrative that we should remember the victims of the Holocaust not as statistics but as individual people, each with his or her own story. Julia wants to reclaim and preserve Sarah’s story.

However, on deeper reflection, “Sarah’s Key” leaves us with the idea that this was all about finding moral lessons in history for non-Jews, rather than in preserving and propagating Jewish life. The argument sometimes made about intermarriage is that it is important to raise Jewish families to deny Hitler and Gaza. The consequences of repudiating maverick law and land are hard to overestimate. Today, about half a million Israeli citizens live in such settlements.

Equal upsetting is the acknowledgment of the judges that they knew that Shahak, the Israel Security Agency, used torture and yet, before the high court ruling against it, they did not object to these methods of investigation. As in other cases, the order was more shocking than the fact. Even the Israeli High Court of Justice was not free from these deep biases. The film quotes research acquirers that the vast majority of the high court rulings favored the interests of the state.

“The Law in These Parts” was one of the most shocking films of the festival. “The Law,” as we see it today, is all but invisible to the vast majority of the inhabitants of Israel and the territories.

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