



House of Commons
CANADA

Canadian Parliamentary Coalition to Combat Antisemitism

Monday, December 7, 2009

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• (1105)

[English]

The Chair (Mr. Mario Silva (Davenport, Lib.)): Good morning. I'd like to call the seventh hearing of the Canadian Parliamentary Coalition to Combat Anti-Semitism to order.

I want to welcome the witnesses before the committee. I want to remind the witnesses they will have ten minutes to make their presentation. That will be followed up by questions and answers. We'll be adjourning in about an hour and a half for about five minutes to go into the second part of today's hearings.

I would like to acknowledge those who are here: Mark Freiman, president, and Eric Vernon, director of government relations, of the Canadian Jewish Congress; Adam Atlas, president of the Quebec Jewish Congress; Carla Wittes, vice-president of programs, Canadian Centre for Diversity; and Professor Karen Eltis, University of Ottawa Law School. I apologize to anybody if I've mispronounced their name.

With that, I'd like to begin by calling both Eric Vernon and Mark Freiman to say a few words.

Eric.

Mr. Eric Vernon (Director, Government Relations, Canadian Jewish Congress): Thank you very much, Mr. Chair and members of the inquiry.

My name is Eric Vernon, and I'm the director of government relations and international affairs for the Canadian Jewish Congress. It is with great pleasure that we appear before you today in support of the important work of this inquiry.

[Translation]

We are pleased to be with you today. Thank you for having invited us to present the Jewish community's opinion on the fight against anti-Semitism in Canada.

[English]

As many of you, including a distinguished member of this inquiry who is a past president of the Canadian Jewish Congress, know, CJC is a human rights and social justice organization by and of the Jewish community but for all Canadians.

Throughout the 90 years of our existence, we have striven to help create a Canadian society that banishes anti-Semitism to the margins, denies traction to any form of racism or discrimination, and promotes human rights and equality. Collectively, as we know, we all have more work to do, and that is what brings us here today.

Our presentations in chief will be made first by the president of the Canadian Jewish Congress, Mr. Mark Freiman, to provide the Canadian perspective. He will be followed by Mr. Adam Atlas, president of the Quebec Jewish Congress, who will provide insights into the situation in Quebec.

We look forward to your questions following the oral presentations.

Mark.

The Chair: Mark, just before you start, I want to remind all the witnesses to speak slowly to assist the translators. If you have provided a text to the translators, it is a lot easier for them. If you haven't, just speak a little more slowly so they can in fact translate.

Thank you very much.

Mark.

Mr. Mark Freiman (President, Canadian Jewish Congress): Thank you, Mr. Chairman and members of the coalition.

It is as a Canadian organization, one that represents a specific portion of the Canadian social fabric and one that stands up for Canadian values, that Canadian Jewish Congress commends this coalition for its decision to work to combat anti-Semitism, a decision which, in our view, represents not only a rejection of hatred and prejudice but also an affirmation of the basic Canadian values, as expressed in our charter and elsewhere, of tolerance, decency, and equality.

Canadian Jewish Congress also commends you for your decision to stand up for these values through a coalition that crosses party lines. For Canadian Jewish Congress, standing up against anti-Semitism and indeed against all manifestations of hatred and intolerance is not a partisan political position. It is a stand that we as Canadians, as much as we as Jews, expect from all political parties, and we are gratified that these expectations are being met.

What is this phenomenon of anti-Semitism? Why, more than 60 years after the end of the Second World War, is it still necessary to devote time and resources to study and ultimately to combat this? The question is not a trivial one.

Anti-Semitism, simply put, is fear and hatred of Jews expressed in words or deeds. Up to the end of the Second World War, and in some parts of the world even thereafter, anti-Semitism was not ashamed of its own name. Around the turn of the last century the mayor of Vienna was actually elected on a platform of a party that called itself simply the Anti-Semitic Party, though, to be sure, he was soon explaining that he reserved for himself the right to decide who the Jews that he and his party were specifically opposed to were. Later in that century the Nazis dispensed with even this subtlety, along with the fiction that their opposition to Jews was a “political” one rather than an exterminationist one. Today in North America, the term anti-Semitism, as descriptive of significant social or political attitudes, is out of favour. Anti-Semitism, with apologies to Oscar Wilde, has become the hatred that dares not speak its name.

To the extent that it is still a significant ideology, it is portrayed as something that exists only in foreign benighted places. On this side of the ocean, we are told, except for kooks and crackpots, usually portrayed as madly typing manifestos on computers in their parents' basement, we don't have real anti-Semites, and we don't need to trouble ourselves with concerns about residual anti-Semitism. It can't happen here.

We're all anti-anti-Semites now, to the point where those who suggest a continuing domestic issue of anti-Semitism in Canada often find themselves upbraided for being motivated by ulterior purposes and stand accused of resorting to the label of anti-Semitism to insulate themselves and their political allies from legitimate criticism.

That is a view that I understand has in fact been expressed in some submissions to your own inquiry by groups and individuals who I am sure are careful to preface their messaging with a declaration that they are not anti-Semites themselves, but go on to maintain that though they deplore real anti-Semitism, the present inquiry is not necessary and in fact is likely to be manipulated by “certain groups” to simply serve as a means to muzzle criticism of policies and behaviour by the state of Israel.

There you have it. Anti-Semitism, we are told, isn't a problem. It's the Jews with their Jewish state along with their Jewish supporters and fellow travellers abroad, including notably the Jews who want parliamentarians to investigate non-existent Jew hatred.

Is that point of view surprising? Sadly, it is not. Historically, anti-Semitism as often as not has been hatred of Jews in search of an alibi. The basic message of anti-Semitism has remained remarkably constant. The Jews are not like the rest of us, and they conspire to do us harm. What varies over time is the motive invoked for the Jewish bad behaviour and bad intentions that are being alleged.

● (1110)

Sometimes it has been located in theology: “The Jews are plotting to harm us because they hate Christianity...or is it Islam they hate?”

Sometimes it is in politics: “The Jews ruin societies by promoting and practising the excessive individualism of capitalism...or is it the radical anti-individualism of Communism that they support?”

Sometimes it is in genetics, sociology, or anthropology: “The Jews are a danger because they are genetically or culturally inferior...or is it because they have made themselves excessively successful?”

The underlying message stays the same: the evils that beset our society are caused by Jews.

Anti-Semitism is the oldest existing hatred. Like other enduring infections, it survives by successfully mutating over time.

The more familiar manifestations of anti-Semitism, those from the extreme right, have certainly not completely disappeared, as the recent incidents in Calgary, Ottawa, and Barrie attest.

The Internet also remains a problematic medium as a host for traditional hate websites and as a tool for their recruitment.

But mutations continue.

Anti-Semitism's latest mutation, which affords it yet another alibi, once again redefines its Jewish target. Instead of the Jewish religion, or the Jewish race, or the Jewish culture of decadence, or the Jewish financial influence, the target is now often redefined as the Jewish state, and, of course, the international Jews who support it.

The cause no longer calls itself anti-Semitism but rather anti-Zionism. Its new alibi is that what is being targeted is not individual Jews, not Judaism as a religion, but rather the alleged misdeeds of the state founded by Jews as their national homeland.

But why is this to be seen as merely an alibi? Why, the critics ask, is it anti-Semitic to criticize the actions of a state, even one that is run by Jews?

The answer is that the question itself is misconceived. It is no more anti-Semitic to criticize specific Israeli policies or actions than it is to criticize the acts of an alleged wrongdoer who happens to be a Jew.

What is anti-Semitic, on the level of personal behaviour, is to attribute the acts of a Jewish person to the fact that he or she is Jewish, to characterize a particular alleged misdeed as an example of Jewish vices.

What is equally anti-Semitic, on the broader level, is to tie what is said to be misdeeds by the state of Israel to its status as a Jewish state, to characterize such alleged misconduct as an example of the evil nature of Zionism.

In both examples, the act being criticized is only of interest to the anti-Semite because of the lesson it teaches about Jewish evil. This is what constitutes the continuity between the old and the new anti-Semitism. The strategy of the old anti-Semitism is to apply double standards and to resort to demonization in order to dehumanize Jews. The new anti-Semitism likewise employs double standards and resorts to demonization in order to delegitimize the world's only Jewish state and those who support it.

The older, less subtle forms of anti-Semitism are far from extinct in the contemporary world. Slogans and cartoons that would draw a knowing smile from a 1930s reader of *Der Stürmer* abound in the press and in the culture in certain places around the world.

We have filed with the committee a book of cartoons that is two years old. It illustrates the treatment of Jews in Israel in the press, both historically and in the present day. That book is a good illustration of the enduring currency of some of the most hateful images and themes of classical anti-Semitism, and of how today the targets of this hateful discourse are just as likely to be labelled as Zionists as they are simply to be called Jews, even though the stereotypes, the images, and the messages remain the same.

• (1115)

In the west, such gross examples are rarer, though as the book illustrates, they are not totally absent. In our own backyard, the increasingly more common form focuses on delegitimization, and specifically delegitimization of the notion of a Jewish state, and it spreads under the shelter of the alibi that it is only an expression of a respectable political and philosophic orientation.

Both the old and the new anti-Semitism are dangerous in their own way. In Canada, we can be thankful that anti-Semitism in whatever form is still largely beyond the bounds of respectable opinion, but not for lack of trying.

Anti-Semitism gnaws away at that border, looking for respectability by attaching itself to ostensibly respectable notions, whether that be patriotism on the right or social justice on the left. We cannot let hatred succeed in this quest. That is where your parliamentary inquiry can make a positive contribution.

As a start, by calling manifestations of anti-Semitism by their real name, the inquiry can help stem its drive towards legitimacy and acceptability. We urge you to bell the cat of anti-Semitism, including explicitly recognizing that so-called anti-Zionism can, and often does, cross over into anti-Semitism. We ask you to affirm that anti-Semitism, in its hateful perspective, is inconsistent with Canadian values. In combatting anti-Semitism, you can provide a template for opposition to all forms of prejudice, hatred, and discrimination.

In addition, the Canadian Jewish Congress has outlined a set of practical recommendations that we commend for your consideration. They include proposals for structures to ensure that the work of this inquiry has lasting impact. Other proposals deal with helping put Canada's own house in order, with working to develop suitable and up-to-date tools for ongoing research, with supporting broad outreach initiatives, and with providing education and support for front line institutions.

Mr. Chairman, we thank you again for the opportunity to share our thoughts with you today. I would be glad to further discuss the specific proposals put forward by Canadian Jewish Congress, or any of our perspectives, during the time allotted for questions.

• (1120)

The Chair: Mr. Atlas.

[*Translation*]

Mr. Adam Atlas (President, Quebec Jewish Congress): Mr. Chair, I represent the Congrès juif québécois, which is the

voice of the Jewish community in Quebec. We are affiliated with the Canadian Jewish Congress, but we are a separate entity.

First, I want to thank the MPs around the table for their interest and their awareness. Your presence is proof that the fight against anti-Semitism is a challenge not only for one community but for society in general.

As a personal note of introduction, my mother lost her entire family during the Holocaust in Poland. So I am very sensitive to minority issues, be they the rights of gays, visible minorities or my own Jewish community in Quebec. Having no grandparents, uncles or aunts on my mother's side, I have a very personal knowledge of the relationship between the words hate and violence towards a minority group. That background led me to a leadership position in the Jewish community.

As a representative of the Quebec Jewish community, I also want to do away with any ambiguity. My short presentation will be limited to Quebec, which in no way means that the rest of Canada is not experiencing the same difficulties and challenges.

In the brief that we submitted to your committee, we recalled a number of events that have profoundly shaped our history and our memory. I am not here to list them for you. I would simply like to say that anti-Semitism in Quebec is now a relatively marginal phenomenon, but it still exists. Unfortunately, we see an anti-Semitic backlash against our community every time the situation worsens in the Middle East.

For example, in recent years, there have been three attacks in Montreal. In April 2004, the United Talmud Torah School in Montreal was set on fire. In September 2006, the Skver-Toldos School in Montreal was hit by a Molotov cocktail. In April 2007, the Jewish Community Centre, where I was yesterday with my children, was bombed. We must also remember that the atmosphere on Quebec university campuses is such that visibly Jewish individuals feel "uncomfortable". This concerns us.

I would also like to highlight the demonstration organized in January 2009 to protest against Israeli intervention in the Gaza Strip. Demonstrators chanted a number of pro-jihad slogans, such as: "Allah loves Nasrallah" and "God loves martyrs". The protest also used traditional anti-Semitic slogans like "Death to Jews" and "Palestine belongs to us and the Jews are our dogs". This happened in the streets of Montreal. You can see videos in which you can hear those slogans on the Internet.

•(1125)

A number of well-known individuals were at the demonstration, including Réjean Parent, president of the Centrale des syndicats du Québec. How can it not be considered outrageous when the president of a union that is the official voice of 170,000 individuals says nothing? Through his presence and especially his silence, he condoned shameful racist slurs. We are seeing the conflict in the Middle East used to bring a new form of anti-Semitism to Quebec. Some demonstrators are taking advantage of events that are considered to be progressive to freely express hostility towards our community.

I want to be clear, it is not my intention to generalize. It only takes a few loose canons to derail a demonstration. But it is unacceptable, regrettable and reprehensible for Réjean Parent to take part in a demonstration attended by hooded anti-Semites and for him not to see the wisdom in staying well away. The fight against anti-Semitism means that the Quebec values of tolerance, respect, non-violence and the ability to embrace the richness of good intercultural relations must come first.

Ladies and gentlemen, committee members, Mr. Chair, I do not want to monopolize the floor any longer so that my colleagues and I can answer any questions you may have. Thank you.

The Chair: Thank you for your testimony.

It is now Ms. Carla Wittes' turn.

[*English*]

Thank you very much.

Ms. Carla Wittes (Vice-President, Programs, Canadian Centre for Diversity): Thank you, Mr. Chair.

Thank you so much to the committee for inviting me to be here today and for the important work you are doing.

I'm going to begin with a brief personal note as well and say that I think for anyone who is involved in the work of combatting anti-Semitism or racism of any kind and who pursues it with a real passion, it comes from some place very deep and personal. For me as well, my mother was a survivor of the Holocaust. She was the only survivor in her family. Having been born in the long and very dark shadow of the Holocaust, I believe very strongly that it's my personal obligation to try to make this a better country and a better world.

I want to note that in 1947, when my mother was trying to find out what had happened to her family, she received a letter from someone who said to her, "You were the lucky one, you got out to Canada". They said that Canada is a place where you can be a Jew in freedom and where you can raise your children as Jews in freedom, and they said that the only thing you can do to really respect and honour the lives of all of those who were murdered is to make sure that you raise your voice against anti-Semitism and discrimination wherever and whenever you hear it. It's a lesson that I believe I've taken to heart very seriously.

In developing programs for the Canadian Centre for Diversity, I am very mindful of the fact that we have our roots in the Canadian Council of Christians and Jews, a national non-sectarian organization dedicated to promoting cultural, racial, and religious equality,

and also that in the world we live in today, in order to have really meaningful conversations with people, we need to take it beyond the confines of who we are in the Jewish community, of who we are in the Jewish and Christian communities, and pay attention to the fact that the demographics in Canada are very different now. We need to bring other people into this conversation.

So in creating the programs that we run across the country, it's very important for us to know who is in each community. Are there Jews? Is the anti-Semitism that we hear there just hearsay? And I shouldn't say "just" as though that in any way diminishes its impact. But who is in the room and how do we make friends and allies out of them?

Somebody made a comment to me the other day and asked why we would involve Hindus or Sikhs in our programs. They said that the Hindus and the Sikhs are not traditionally anti-Semitic communities. My response is that until we're all having honest conversations about what anti-Semitism looks like, the traditional anti-Semitism and the new anti-Semitism, and how it impacts individuals in our community, we are just talking to the wall.

We need to bring in other people to hear the story of anti-Semitism, to understand the rich history of the Jewish people, and certainly to understand the Holocaust, but also perhaps to recognize that anti-Semitism and the Holocaust do not solely define Judaism or the Jewish experience and Jewish culture. In order to be able to move forward and be embraced in a full way by Canadians on every level, we need to open up and share who we are, apart from that just that negative piece.

So what we strive to do in our programming is provide opportunities for what we consider to be courageous conversations where we honour the importance of the narrative, where we honour the importance of people's stories. As a Jew, I have an obligation to hear someone else's story, to hear their cultural experience and their cultural pain. I also have an obligation to share my story, my community's pain, and my community's experience, and to ask for us to go way beyond tolerance to keep on learning about one another, to make it our responsibility and obligation to learn about one another so that we can go beyond tolerance to understand and to respect. Of course, the perfect end result would be friendship, but we also understand that friendship is not always possible.

•(1130)

What we want to move away from is people coming together from different backgrounds who immediately roll up their sleeves and say, "Let us at each other, because we're going to have a real good conflict here and a real good debate". When we bring together students from different backgrounds, such as a group of Jewish students and a group of Muslim students, for example, who will work together over the course of a year in a workshop designed to really help break down the barriers, we say to them at the beginning that it is about dialogue.

We tell them that in order to properly conduct dialogue, we need to leave behind some of the baggage that we bring with us, such as who we see when we look at someone else and the labels that we put on other people, and we need to allow ourselves to listen. We consider listening to be a revolutionary act in this regard. We have to allow ourselves to listen with understanding, to listen in order to learn, to try to leave judgments and preconceived ideas at the door, and to understand that changing beliefs, changing attitudes, and social change are very, very slow, and that we absolutely have to start, and we have to start now.

Our programs are designed to bring people together, even if it's a situation that can be quite emotional. For example, we did a program in Calgary last year where we had a young woman speak about her experience of growing up Jewish in Calgary and feeling extremely discriminated against in many aspects of her life. Having been away from Calgary, she had come back just recently, hoping to see some change, and what she found was the series of anti-Semitic incidents that we know took place a few weeks ago.

She spoke to a group of 80 students from different backgrounds—aboriginal, Hindu, Catholic—and what she said was, “I need you to look at me and not see me as the label, and not see me as representing something that is really frightening to you because you've never met someone like me before”. She said that needed them to hear her story and understand a little bit more about what it means to be a Jew in this city and in this country in 2009. She needed them to understand that the person who wrote to my mother in 1947 and said that she could live in freedom wasn't entirely correct, sadly, and that there is this undercurrent always present that needs very, very desperately to be addressed.

I offer you that. I'm happy to take any questions, of course, but mostly I think what I want to do is support what my colleagues have said and perhaps end by asking this inquiry to consider that education is always the key to making social change and to beginning to look at the challenge we have in helping people to see beyond labels and stereotypes. It is key to have people to stop saying, as we hear from high-school students, that the Jews are the ones who run the finances in the world or the Jews are responsible for.... They can name any number of things, including the blood libel that still comes back to haunt us.

We need to put real effort, real resources, and real thought into how we can create, within school environments, opportunities for children to learn something different, to learn it very actively, and to learn it in a way that resonates with them because it comes from a place that is authentic and real and present in this world today.

Thank you.

• (1135)

The Chair: Thank you very much.

Professor Karen Eltis.

[Translation]

Dr. Karen Eltis (professor, University of Ottawa Law School): Mr. Chair, honourable members, thank you for having me here. I want to also thank you for undertaking this consultation, which I feel is essential, crucial, at this time.

[English]

I have a few remarks for you today.

The global phenomenon of anti-Semitism that draws on traditional motifs but extends from the individual to the collective Jew, Israel, is spilling over into Canadian campuses and creating a hostile environment of intimidation, fear, and demonization, in which violence, both psychological and even physical, is increasingly extended legitimacy. Worse, for me as a jurist, it is alarming that it is increasingly couched in the language of human rights.

Most obvious among others in this context is the so-called Israel Apartheid Week, during which the Jewish state is attributed all of the world's evils and effectively equated with what we most loathe: racism, apartheid, and even Nazism. I believe that Robert Wistrich, who you heard not long ago, discussed the morphing of anti-Semitism to correspond with the zeitgeist, the spirit of the time. The Jewish state, its citizens, and its supporters—which of course includes students and faculty—not surprisingly become legitimate targets for demonization and violence, and the political entity that they may be associated with—I, for instance, am a dual citizen—becomes a target for eradication, in fact.

In a word—and this is what concerns me—racist affirmations, incredulously but frighteningly, are proffered and indeed made palatable to us and virtually unassailable when they are couched in human rights rhetoric, as I point out in my report. I will come back to this.

Essentially, the bottom line is that Jews are not here asking for special treatment when they rise against the old anti-Semitism or the new anti-Semitism. We are asking for equal treatment.

There is a normative framework already in place in Canada that is in fact the envy of many places in the world. It is already instituted and is well equipped to deal with this problem. It is only a question not of reinventing the wheel, but of extending this framework to what has become an unpopular group: Israelis and, by extension, Jews.

Universities and societies as a whole have recognized the harms of harassment on enumerated and analogous grounds. We have recognized the impact of degrading speech on women's and minorities' equality and psychological well-being. We therefore consciously balance what is called “negative freedom of speech”, meaning the freedom from state interference to express ourselves, with, on the other hand, what is known in Berlinian terms as “positive freedom of speech”, that is to say, the right to express yourself in society, to have the tools where you feel comfortable enough and are unafraid to express yourself. Positive freedom of expression is increasingly recognized by the courts.

We also recognize equality as a countervailing value, and we regularly, in Canada, limit offensive and oppressive speech, be it on campus, at the workplace, or elsewhere. This is not considered, provided that the proper balancing is applied, antithetical to Canadian values.

On the contrary, it is considered a promotion of Canadian values to allow historically vulnerable groups to express themselves and to promote their equality and dignity. Accordingly, many workplaces and many universities define discriminatory harassment as “objectionable and unwelcome comment, conduct, display, communication in any form based on any of the prohibited grounds listed. It is behaviour which would be reasonably perceived to demean, humiliate or cause offence”, etc.

There are even cracks in the U.S. model. I'm returning now from the U.S., where freedom of expression is sacrosanct. A recent book by Lewis, a Harvard professor and one of the great pioneers of freedom of expression, notes that in the Internet age one needs to perhaps reconsider an absolute stance of freedom of expression. I think the so-called anti-Zionist or anti-Semitic rhetoric that I refer to in my report fits the bill.

Jewish students and other vulnerable minorities deserve no less—that is to say, an extension to them of the protection of the normative framework already in place—yet somehow and unfortunately, a double standard prevails. Somehow, in some environments, including some campuses, targeting Jews or targeting Israelis is acceptable despite the fact that these same entities do not hesitate in limiting certain forms of speech when they are offensive—and I'm glad for that—for instance, to women or other minorities.

● (1140)

This led Professor Shalom Lappin to remark, “If one group of students is permitted to engage in violent harassment of another without the decisive intervention of the University's administration, then the conditions for a free and unfettered exchange of ideas are completely undermined, and the primary purpose of university life is betrayed.” That is to say, if they are afraid to express themselves, they do not benefit from freedom of expression. So it is not a question of rights versus some other value; it is a question of rights versus rights.

Examples abound of the double standard where the normative framework that is in place to protect vulnerable minorities is not applied to Jews. Excluding more cynical explanations, I think I would attribute this to the fear of suppressing legitimate political expression.

The continued discussion of where we distinguish between anti-Semitism and anti-Zionism has been a constant preoccupation, and perhaps legitimately so. This is why, as a practical recommendation, I propose that we incorporate by reference clear indicia, such as the EUMC working definition, which I believe you have in your packages, and other indicia that have been elaborated by scholars, in order to do away with the tautology of anti-Semitism versus anti-Zionism and to do away with the danger of ad hoc responses.

Doing so—that is to say, incorporating by reference indicia such as those in the EUMC and others that I mention in my report—will also help to promote transparency. Thus, for instance, the EUMC cites contemporary manifestations of anti-Semitism in public life as including: denying the Jewish people their right to self-determination by claiming that Israel is a racist endeavour; using the symbols of classic anti-Semitism to demonize Israel; and applying a double standard to the Jewish state. This is precisely what Israel Apartheid Week and other such events do.

Again, many indicia can be used. Most come back to the question of demonization and a double standard to distinguish between legitimate political expression and unacceptable anti-Semitism in its new form. Delinking the Jewish people from their homeland can amount to a denial of the very identity of the Jewish people and, indeed, exogenously impose versions of identity. Time does not permit me to go into details of what distinguishes anti-Semitism from anti-Zionism. I refer in my text, and will be happy to get back to this during question period, to a number of definitions that would be helpful in that endeavour.

To summarize my comments, Jews are not asking in this context for special treatment, but for equal treatment; that is to say, to have the legal framework that is already in place extended to protect them, Jewish students, Jewish faculty, and Jewish workers, from the type of hostile environment that prevents them from taking an equal place in society and prevents them from expressing themselves. It is a question of balancing freedom of expression of anti-Zionists or even anti-Semites with the freedom to express themselves and the dignity and equality of Jews, Israelis and others.

Finally, in order to promote transparency, prevent ad hoc responses, and help us do away with the tautology of anti-Semitism versus anti-Zionism, I propose the adoption of criteria such as the EUMC definition and others incorporated by reference into the relevant documents.

I thank you for your time and will be most happy to answer any questions.

● (1145)

The Chair: Thank you very much to all of the witnesses who have come before us.

We now will start the first round of questions with Madam Folco.

[*Translation*]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Thank you, Mr. Chair.

[*English*]

First of all, Mr. Freiman, I'd like to thank you for what was your very clear not quite a definition, but almost a definition, between anti-Zionism and anti-Semitism. We've heard a lot of definitions and of course we know what the main definition is, but I think the examples you gave and the way you explained it made it very clear for those of us around the table, and perhaps elsewhere, who were not clear on where one stops and the other one begins. Although the frontier, the border between the two, is not quite as clear as I'm saying.

I would like to ask a question of Mr. Atlas.

Mr. Atlas, I ask this question of you because you're one of the rare people who have come in from Quebec. We'll be getting more people from Quebec to come in, but let me ask this question of you. Traditionally, for many people, the reputation of Quebec has been that the Quebec population is generally anti-Semitic. I live in Montreal, of course, and I've not found it so, but I have found that there are instances of anti-Semitism here and there.

Apart from the Talmud Torah and the graffiti, and so on and so forth, I would like to hear from you why Quebec has this reputation, which it does have for the rest of Canada, and specifically in terms of such left-wing groups as the unions, the Fédération des femmes du Québec, and so on and so forth. What is it about them that has made them go over to what is not only an anti-Zionist stance? I think they've crossed the threshold to an anti-Semitic stance.

[Translation]

Mr. Adam Atlas: Thank you, Mr. Chair.

The member raises a very interesting and relevant question for us as Quebecers. First, I want to highlight the fact that, based on our polls, the number of anti-Semitic acts in 2006-07 in Quebec dropped in comparison to the rest of Canada. That is a small note of optimism to start with.

With regard to Quebec's reputation as a province that is somewhat more open to anti-Semitism than the rest of Canada, I believe that it would be unfair to say that Quebec is an anti-Semitic society. That is not true in my opinion. I believe that, in Quebec—and I will connect this to your second question about unions—the outlook is more progressive, community-minded and perhaps even socialist. I do not say that in a negative way, but only to describe it. Currently, across Canada and around the world, people on the left tend to be anti-Zionists.

• (1150)

Ms. Raymonde Folco: They were not 30 years ago.

Mr. Adam Atlas: Exactly. The irony in all this is that, in the 1940s, 1950s and 1960s, the union movement in Quebec had very significant contributors who were Jewish. As you say, these movements can sometimes give their support to entities that are, to say the least, anti-Zionist. I think that this leftist tendency exists in Quebec.

There is also the fact that Quebec is sympathetic to cultural and nationalist movements—the Palestinian movement is a just movement—and possibly this sentiment takes the form of an affiliation with anti-Zionist actions, which in turn can become anti-Semitic actions. I do not know if that answers your question.

[English]

Ms. Raymonde Folco: I'd like to address my question to Ms. Eltis.

What you've brought up, Ms. Eltis, is a very, very important aspect. I remember the Keegstra case and I remember the debate within the Jewish community and elsewhere about it. The main debate was whether we should let it die, whether we should forget about it, or actually bring it to court and pursue the man—I was going to say “the gentleman”, but no—given that it was linked to the right to speak in terms of civil liberties and so on.

I'd like you to address that problem, because this is a problem that has been brought up in other cases and will probably come back again. I'd like to hear your point of view from the perspective of civil liberties and particularly from a law perspective.

Dr. Karen Eltis: Thank you very much.

Absolutely, and I'd quote a passage from the Keegstra case that says, “It is indisputable that the emotional damage caused by words

may be of grave psychological and social consequence”. Some of these words—and I speak as someone who lives on campus, so to speak—have such a devastating consequence on both students and faculty that they muzzle them. This prevents them from expressing themselves, both in class and outside, and perhaps even from applying to certain universities.

From a very honest and personal perspective, since my co-panellists have shared theirs with us, when I arrived for an interview for a faculty position, I did so in the context of apartheid week or some similar manifestation. I don't recall which it was. Given the graphic nature of what surrounded me, I felt that I might turn away and leave, because that would not be an environment *qui pourrait m'accueillir*.

In terms of the legal perspective, I think that more and more we look to not only balancing, as we always have in Canada, or as we have for a good period of time, between countervailing values such as freedom of expression and equality and dignity. We do not hesitate to do that here in Canada, so this is not a question of reinventing the wheel. But more and more, as I mentioned, we look to positive freedom of expression.

In that context, McGill professor Jean-François Gaudreault-Desbiens has a very interesting article on this point. He argues that the dilemma of inhibiting speech “becomes a duty to regulate against abusive forms of expression, because a constitutional democracy cannot tolerate radical denials of the humanity of some its citizens”.

That is to say that in our Constitution when we recognize freedom of expression, we recognize not only negative but positive; that is to say, we allow minority groups that recognize equality and dignity to express themselves. We recognize that there are reasonable limits on freedom of expression when allowing those forms of racist expression to go forth that prevent others from participating in society.

To bring it closer to home, when you walk onto a campus and you see a picture of an Israeli soldier oozing blood or classical Jewish motifs of anti-Semitism, like a hook-nosed Jew abusing a Palestinian child or these sorts of things, that is associated with a denial of humanity to someone who is either Jewish or Israeli. In that instance, from a civil liberties perspective, it becomes a question of rights versus rights.

Not only does it become a question of protecting the rights of he or she who is criticizing Israeli action, but it becomes a question of protecting the rights of these vulnerable minorities from these types of expressions that dehumanize them, and indeed, as I mentioned in my report, that can potentially lead to violence as well. So I'd just like to reiterate that this balance is something that's acceptable in Canada. It's not a question of creating a new legal framework. It's a question of extending the protection to the most vulnerable groups.

We say that we have a Constitution in order to tie our own hands; when the day comes and we perhaps wish to use absolute political power to demean a certain group, we have the Constitution to tie our hands and prevent us from doing so by imposing certain limits on the majority's freedom. Precisely, this is when the Constitution steps in. This is when you have a very unpopular group in some circles—that is to say, Israelis, if not Jews—that needs the protection, whose civil liberties are being trampled on by demonization and dehumanization in some cases, and who need society to come in and limit certain forms of speech in order to protect these very unpopular groups.

• (1155)

The Chair: Now we'll go to Madam Brown.

Ms. Lois Brown (Newmarket—Aurora, CPC): Thank you very much, Mr. Chair.

First of all, Mr. Atlas, I'd like to thank you for your response to Madam Folco. One of the comments you made was that anti-Semitism is gaining ground in Montreal. My thought was about what you attribute this to, because there has been a very large Jewish community in Montreal for many, many years. We're seeing the changing demographics. Your explanation of that was very helpful, I think, so thank you.

I want to ask Ms. Wittes a question.

You were talking about education for young people. Last week in our presentations, we had two gentlemen who gave us presentations and two very different curricula that are being used across the country right now.

First of all, are you familiar with them? If not, do you have curricula that you think would be plausible to use in our schools? What are you looking for in that? Is there something that we can be talking about from our perspective as parliamentarians?

Ms. Carla Wittes: Certainly. I'm not sure who the.... One of them was from FAST, I believe. I don't know who the other one was.

Ms. Lois Brown: I'm sorry, I don't remember the name. There were two, and one was a gentleman from Toronto.

Ms. Carla Wittes: I'm certainly familiar with FAST. In fact, the people who worked on that, who started FAST, are people with whom we have worked and are very familiar with at the Canadian Centre for Diversity. FAST is specifically geared toward grades 7 and 8. It's a wonderful program.

The programs that we undertake are a little bit different. They really are dependent on people interacting with other people. What I mean by this is that at this point it's not a curriculum that gets pressed into a DVD and sent out with a curriculum for the teacher to follow and to work off a template. We work individually with teachers and community groups and schools.

Before we go in and do any workshop or any kind of program, even a day trip where we'll take, let's say, a group of Catholic students to visit a Buddhist temple, a mosque, and a synagogue, we make it our business to find out who's in that room and what some of the issues are in that classroom. That means we can begin to bring those issues into the conversation. It becomes a very active and interactive proposition rather than students just reading the text,

absorbing, and it ends there. We try to make all of our programs very experiential.

One program that I want to specifically mention is not for the youngest group but for college and university students—a population that we know has a lot of challenges—and that's the March of Remembrance and Hope. I know that one of our students who was on the program was here a couple of weeks ago. Here's a perfect case of a young man who came to Canada as an immigrant from Iran, a Baha'i with no connection with the Jewish community, and who, for a variety of reasons, was motivated to apply to the program. In the nine-day study mission to Germany and Poland with a Holocaust scholar and two Holocaust survivors, in a very intense and intimate process—thirty people on two different buses, travelling together from six in the morning until midnight—he recognized the value of engaging in dialogue about these very important matters. For example, what are we seeing when we go into these places? What are we seeing when we're standing at Auschwitz?

When we, a very diverse group of students from campuses where there are tremendous challenges around anti-Semitism and anti-Israel sentiment, stand together at a place where there are many tonnes of ashes in a mausoleum, where you can still see bone fragments and hair, the impact of that is absolutely astonishing. We know, facing one another, that we forget history at our peril, and that no matter who we are, we need to be in these places and have those conversations. We need to be absolutely open and frank about what we think about each other and about the impact of some of the judgments we bring to the table.

The March of Remembrance and Hope is a culminating program. For many of the students over the last couple of years who have gone through some of our high school workshops, just the beginning of actually establishing norms for dialogue, just the beginning of saying, "I am going to leave some of my preconceptions at the door and ask more questions", have led them to say, "Now I'm going to go on what is perhaps the most difficult of these programs"—namely, actually confronting the reality of the Holocaust in the places where it happened, with people who went through it, and not being afraid, not looking away, not turning to their peers around them who ask them why they're doing this, because Anti-Semitism is really not a problem; if anything, if we acknowledge that it's there, it's kind of acceptable, because it's always been there, and Israel is a demonized state.

We take students who come with definitely some very strong ideas that shift over the course of those nine days. In fact, many of the students, after coming on our program, will then do a program with Hillel or National Jewish Campus Life to go to Israel to continue their learning. That is exactly the goal we want. We want them to continue questioning, and always to form a community of like-minded individuals who are not all Jewish who can say, "Wait a minute, I will stand up for the Jews in this instance. I will not make it okay for anti-apartheid week at my campus. I have gone through this process, I have been to these places, and I understand something that I didn't understand before."

• (1200)

It's a long and slow process.

Ms. Lois Brown: And I guess that is the question I'm looking to see answered as well: how long before these programs start to bring about a tipping point where enough students have been confronted with these issues to have an impact on our campuses, and we start to see a settling of this conflict that's happening?

Thank you, Mr. Chair.

The Chair: Thank you very much.

Now we'll go to Anita Neville.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Thank you very much.

Thank you to all of you for your presentations here.

Ms. Wittes, you may in part have answered this question in your reply to Ms. Brown's question. It comes out of a conversation I had earlier this morning in another context, about the importance of Holocaust education. In your comments, you said that anti-Semitism and the Holocaust do not define the Jewish culture.

I appreciate that, but I would ask you—I would also ask you, Mr. Freiman, particularly—what role do you see for Holocaust education? How pivotal is it to combatting anti-Semitism?

I'm looking for something that I saw in the submission from the Canadian Jewish Congress. I can't find it right now, but you spoke to the Holocaust.

As I say, it's raw, from a conversation I had a little earlier this morning, but I'm interested to know your views on it.

•(1205)

Mr. Mark Freiman: Maybe I can start.

Just observationally, the Holocaust is clearly a pivotal event, not only for the Jewish community but for the world community. And if I may say so, it forms a problem for anti-Semites, because after the Holocaust, how can one be an anti-Semite? That's why, for a number of years on the very far right, Holocaust denial occupied such an important point in their anti-Semitic platform.

Today, unfortunately, we see another manifestation of it, one that doesn't deny the Holocaust but in fact tries to drain it of any significance and content by saying, "Yes, the Holocaust existed, but today it's being abused by Jewish communities and by Jews for ulterior purposes", the idea being to remove the Holocaust from discussion—as an example of anti-Semitism as the quintessence of murder on an industrial scale—and turn it into an abstract notion that is being used for one purpose or another.

That's why Holocaust education is in fact crucial—the very facticity of the Holocaust in terms of what happened and the way in which human beings were stripped of their humanity, first by discourse, by anti-Semitic thoughts, by anti-Semitic words, and then by anti-Semitic pictures until they became ready for what befell them.

The Holocaust was prepared for by words and by political thought. It was carried out by people who no longer were able to see the humanity of their victims. In anti-Semitism, we always encounter a drive to remove the humanity of the Jewish people or of individual Jews. It is the Holocaust that brings us back to reality. It reminds us

of what can happen, what did happen—even in an advanced westernized culture—and how dangerous it is to play with racism, to play with hatred of individuals, to play with demonization for any purpose.

I say the Holocaust is central. It does not define who we are as Jews, but it certainly defines how anti-Semitism works and why we have to oppose it.

Hon. Anita Neville: Thank you.

Does anybody else want to comment?

Ms. Carla Wittes: I would like to say, just to support what Mr. Freiman said, that I think Holocaust education is absolutely critical. It's also absolutely critical that it not be only for Jewish students. That's why I think finding ways of exposing other groups and individuals to what happened in the Holocaust in very powerful ways is so important.

At this point, I know that many boards' grade 10 or 11 history includes nothing about world religion, so they don't talk about anti-Semitism. If it does include something about the Holocaust, it's a paragraph.

As Mr. Freiman said, the Holocaust was not a Jewish problem. The Holocaust was a human problem. I think the fallout, if you will, from the Holocaust continues to reverberate for all of us.

•(1210)

Hon. Anita Neville: Thank you.

The Chair: Very briefly, Mr. Atlas.

Mr. Adam Atlas: Thank you, Mr. Chair.

[*Translation*]

I would briefly like to mention that, in a few years, there will be no Holocaust survivors left. That is why it is very important to act now. In fact, we can determine how history will view the Holocaust, in terms of the lesson it has to teach. That is why it is especially important to include the Holocaust in the curriculum.

[*English*]

The Chair: Mr. Vernon, you have time for a very brief statement.

Mr. Eric Vernon: Conscious of the time, I'll make just a couple of very quick points in response.

First, with the understanding of the developments of the Holocaust, as Mr. Freiman has indicated, the Canadian Jewish Congress has formed a national Darfur committee. It's very important for us—our survivors are the ones who are pushing for this—to provide "never again" with some contemporary significance. I mention that for your consideration.

The other issue that's playing out in contemporary Canadian society is the issue of the Canadian Museum for Human Rights. We have been advocating strongly for proper, permanent exhibition space for the Holocaust, in part because of the significance it plays in terms of our understanding of genocide and denial of human rights, but also because of the pivotal role it plays in the contemporary development of our systems of human rights and instruments of international human law. We're seeing it play out in that aspect as well, and we're very pleased to continue to do that.

The Chair: Okay, Professor Eltis, but very briefly.

Dr. Karen Eltis: Very briefly, the honourable member mentioned the Keegstra case. In that case the minority was concerned about the chilling effect that imposing any limits on speech would have on those who wished to express themselves. I would invite you—all of us—to consider the chilling effect that failing to impose any limits on racist speech would have on vulnerable minorities and their ability to participate in Canadian society.

Thank you.

The Chair: Thank you very much.

Dr. Bennett.

Hon. Carolyn Bennett (St. Paul's, Lib.): Thanks very much.

Thank you very much to all of you. It's been terrific.

Just on the last question, I think all of us have been impressed as parliamentarians when the congress has met with us on things like Darfur and on the kind of animation you provide on a lot of the campuses for kids who are having a real time understanding what genocide looks like and what they can do to help.

Around the education piece, Carla, in the kind of work you're doing at the Canadian Centre for Diversity, I'm wondering if there's work being done to analyze the curricula to date across all the provinces and territories. For example, what's in world religion classes? What's happening at this time of year in kindergarten? I'm just wondering how we move forward in a real way.

I know that I've been impressed, in my day, by "Women in Politics". We always have a panel of activists who aren't running for office and never have—for example, Bev Jacobs from the Native Women's Association, who really felt that there needed to be a program that was started in kindergarten in terms of indigenous studies or those kinds of things. Sometimes, I think, by the time kids are teenagers, some of this stuff is pretty well ingrained. They've learned it at home. So the earlier we get to people...

Last week I talked about my favourite, the Museum on the Seam in Jerusalem. Young children go through there and learn the effects of hatred. They learn that whether it's the southern states or northern Ireland or Bosnia or the Middle East, hatred is bad. You can teach that from the earliest age.

If we're going to get this right and make recommendations that would almost immunize children against hatred—immunize children against, in effect, the worst of that, being anti-Semitism—what would you recommend?

We always get into trouble, in this rather complex federal system, that education is provincial. But as the Canadian government, are there things we could be doing—for instance, websites; curricula that teachers could download if they chose to; the kinds of things we've been talking about in terms of indigenous studies and education, making it easier for people...and how you could be involved in making sure that it does bear witness to what Jewish students need in order to feel safe and included from the first day they hit the school system?

• (1215)

Ms. Carla Wittes: Yes. The answer is yes.

We're a fairly young organization in the sense that the transition from the Canadian Council of Christians and Jews to the Canadian Centre for Diversity has only been a couple of years. Certainly that research is very high on our priority list. It's critical that it be done across the country. We have staff in four provinces right now, and that's part of what they're looking at: what are the curricula, and when do we start educating?

To your point about the younger the better, one of the programs that I did describe in my submission takes students to various houses of worship. We started that for high school students. High school students are, you know, a little bit jaded, a little bit blasé and all of that. But when we take out the elementary school students, and these groups of little kids go into a synagogue, where the rabbi opens the Torah scroll and does a little bit of chanting, they get to ask all kinds of questions. They talk about holidays. They are not shy. They ask absolutely anything. They don't have any filters. They walk out of there just buzzing with excitement because they just learned all this new stuff.

The facilitator from the Canadian Centre for Diversity then asks them, "What goes on in your house? What are some of the connections that you see? What are some of the differences?" Even at a really young age, they're smart, and they make those connections.

We're not far enough into the future to be able to know for sure the impact it will have, but it seems to me that when children are introduced to this at a very young age; when, rather than "the other", it's "another"; when the demystification can begin to happen; when questions can begin to be asked that allow them to think critically later on, whether it's a few years or ten years later on that they say, "Wait a minute, I remember; I remember this encounter", then it will have an impact.

I want to really quickly add that one of the most effective programs that CCCJ did was not actually a faith-based program. It was a culture and language program. We took students from different parts of the country and had anglophones and francophones in an exchange. Not a week goes by that we don't get e-mails or phone calls from people who did that exchange as young people. They tell us it had a huge effect on how they saw, for anglophones, francophones, and for francophones, anglophones. It began to break down barriers.

I feel very confident that the same effect will occur here.

The Chair: Thank you.

We have time for only two more questioners—that will be Mr. Sweet and Professor Cotler—before we go to our second panel. We won't take a break before that. There will be a vote at 1:15, which means the bells will probably ring in about half an hour. We want to hear from the witnesses first, and then we'll come back to the questions and answers after the vote.

Mr. Sweet.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Mr. Chairman. I appreciate that.

Mr. Freiman, you mentioned in your opening remarks that you hoped that in the summation of our report we'd affirm that anti-Semitism was inconsistent with Canadian values.

I don't want to speak for my other colleagues, but I think I can pretty well assure you that this will be part of the report.

I did want to ask a question regarding your "surveillance"—for lack of a better word—of anti-Semitic events. Do you monitor the university campuses closely in terms of complaints about anti-Semitic events? Do you keep a log of those? How intense are they? In other words, how much of a cataloguing do you do, and what standard is it at?

• (1220)

Mr. Mark Freiman: I can probably say that this is something that we do concern ourselves with, but there are institutions within the organizations within the Jewish community that work directly with campuses, that have a presence on campuses, that monitor, that are sensitive to developments, that prepare reports, that engage in programs to try to ameliorate the situation on campus.

Canadian Jewish Congress is always involved in the messaging and in ensuring that our community is heard on these topics, but there are other organizations within the Jewish community whose direct mandate is work on campuses. They are the ones who would have the most complete statistics.

Mr. David Sweet: The reason I ask is that we spread the invitation quite broadly to all the major universities for their presidents to attend. I understand how, due to their schedules, not all of them would be able to attend, but in fact we had only one acting president, Mr. Levy, engage with us—on the phone, actually; he wasn't able to attend due to the weather.

I would like to have a comment from Madam Eltis on this as well.

The indication I received was that, other than Mr. Levy, the majority of university administrations felt that the concern wasn't as severe as what we were hearing from students, and of course from some of your testimony here. In fact, the representative from the University of Toronto said that Israeli apartheid week was simply a table down in the student centre that was off to the side and that you'd have to search for to even find.

I would like to get your opinion on what's happening on the campuses today. What are you hearing? What are students enduring?

Mr. Mark Freiman: I don't think I would be in the party of the optimists or the pessimists. We're not in the worst of all worlds and we're not in the best of all worlds. The experience varies on different campuses. Some have more acute issues and Jewish students feel more acute anxieties. Others have much less.

All the indications of racial prejudice and hatred seem to demonstrate—this is a point that brings together much of the discussion we've had today—that the more you know the object of prejudice, the less likely you yourself will be prejudiced. Prejudice and hatred are highest in communities and among individuals who know the least about the target community.

What often happens is that apathy allows people with a well-elaborated program to rise to positions of authority and influence that

are not indicative of the general spread of that sentiment in the organization.

Looking at universities, it certainly is the case in a place like Simon Fraser University, which was, for a number of years, a problematic place. We heard that students there felt quite intimidated. The student leaders, purporting to represent the student body, were of an extreme nature, extreme even by usual anti-Zionist measures.

Once a concerted effort was made, and once people began to realize that the reputation of their university in the real world, in the world of recruitment and business, was suffering, and that a degree from that institution was sometimes seen as tainted by the antics of student leaders, the old slate was thrown out. A new set of representatives was brought in that was more broadly representative of the actual concerns of the students—to get a good education and to get training and preparation for the future—and with that the reputation of the university rose. The intimidation factor, as it were, melted away.

That is just one anecdote, one example, but I think it explains what you're hearing about the University of Toronto. The actual uptake on this is often not very high—unless there is no opposition, unless no one notices, unless no one says anything about it. Once people understand the real consequences, advances can be made.

• (1225)

The Chair: Thank you.

Professor Cotler.

Hon. Irwin Cotler (Mount Royal, Lib.): Thank you.

I want to put two questions to Mr. Freiman to draw upon his particular expertise in these matters. One of the questions is for Professor Eltis as well, for the same reason.

The question deals with your recommendation, as stated in your submission, that the existing statutory "fence of protection", as you put it, in the Criminal Code and in human rights legislation should be reaffirmed and, where appropriate, strengthened. I'd like to know your response to those who say that section 13, for example, of the Canadian Human Rights Act should be repealed, or perhaps even the Canadian Criminal Code provision should be repealed, though the focus is usually on the first.

My second question also calls upon your expertise as counsel to various bodies. Supposing you were the counsel to a university president; Mr. Sweet has mentioned witness testimony from university presidents. What would you counsel them with respect to the holding of Israel Apartheid Week?

I would ask you, Professor Eltis, the same question. If you were the counsel, how would you advise a university president?

Thank you.

Mr. Mark Freiman: First of all, perhaps I could just reference my own appearance three weeks ago at the justice committee, which is looking into section 13. Anyone with a morbid curiosity for the minutiae can entertain themselves by watching the CPAC tape.

In general, what I'd say about section 13 is this. The opposition to section 13 really is misconstrued, and mischaracterizes the nature of freedom of expression. Expression is free in the sense that we are extremely loath to impose prior restraint on people's expressive rights. But that's not to say that words have no consequences. Words and expression are heavily regulated throughout our society. We actually accept that as the norm. The law of defamation is one example. The law has consequences for speech that has consequences in people's lives.

But even on a more mundane basis, we have rules for advertising—advertising for children, advertising of dangerous products. When speech is dangerous and has negative consequences, our society is used to regulating it and imposing appropriate sanctions to prevent repetition.

The genius of the Canadian Human Rights Act is that it doesn't target wrongdoers. It targets the speech itself. It says that the Canadian telecommunications system cannot be used—this is a public resource—for purposes of spreading hate, true hate.

That is, in my submission, an unexceptionable proposition. We as Canadians do not tolerate using our shared resources to spread hatred of identifiable groups based on their charter-protected characteristics.

Freedom of expression is a precious thing in our society. It means that people are free to say what is on their mind. But when words become dangerous, and when they have dangerous consequences, society needs to protect itself.

The Chair: Thank you.

We now have to terminate the first part of the meeting. Our second panel will be setting up.

I want to thank all of the witnesses who have been here. We very much appreciate your efforts.

Thank you very much, everybody, for being here.

- _____ (Pause) _____
-
- (1230)

The Chair: Order.

Thank you very much for being here before us.

We apologize for the fact that there will probably soon be an interruption for a vote. We'd like to hear your presentations first. After the vote, we'll try to reconvene and see if we can ask some questions. If you could, then, we'd ask you to be patient and stay for a few minutes for that.

I apologize in advance if the bells are noisy during your presentation.

We'll start with Dr. Gil Troy, please.

Dr. Gil Troy (Faculty of History, McGill University): Mr. Chairman, honourable members of the committee, allow me a personal note: I hate this issue. I take no joy in noting the ugly outbreak of anti-Semitism in the world today. I hate that the problem is so serious as to merit this kind of inquiry. It violates the post-

Auschwitz covenant between the world and the Jewish people—and into which I was born in 1961.

This was supposed to be a relic of Europe, of the old world. And here and now, today, in the new world, too many—not all, but too many—Jews on campus don't feel comfortable expressing their Jewishness, being pro-Israel.

Today, here and now, in the new world, since 2001 my kids and other kids have had to pass through security systems and security guards to go to Jewish day schools, in Westmount, in Côte Saint-Luc, otherwise among the world's safest neighbourhoods.

Today, here and now, in the new world, synagogues have been vandalized. People have been harassed for the sole crime of being Jewish.

This is unacceptable.

I thank you for taking the time to look into this issue. I wish you not just Godspeed good luck but real speed. Finish this issue, solve the problem, and become irrelevant.

I know it won't be easy. Already this commission has been falsely accused of squelching genuine criticism of Israel by invoking the pejorative “anti-Semitism”. Your critics claim it's hard to distinguish between criticism of Israel and anti-Semitism because they camouflage ugly bigotry behind the noble fight for human rights.

In fact, underlying the new anti-Semitism is the continuing Arab rejection of Israel's right to exist, often expressed in the Arab world in the harshest, most traditionally anti-Semitic terms, but in the west, as you've heard this morning, often perfumed by human rights rhetoric.

I echo Professor Eltis: Israel and Zionism do not deserve special treatment; they deserve equal treatment. Many anti-Zionists show their true colours expressing traditional anti-Jew hatred. They throw pennies at Jewish students at demonstrations in Concordia. They firebomb Jewish schools. They target synagogues while supposedly only criticizing Israel.

So no, it is not anti-Semitic to criticize Israel, to question Zionism.

It's not “just” criticism of Israel—but it reeks of anti-Semitism when the criticism is so disproportionate. It continues the west's historic obsession with the Jew.

It's not “just” criticism of Israel—but it degenerates into anti-Semitism when Israel is demonized with traditional anti-Jewish tropes, tics really, exaggerating the Jewish lobby's secretive power, making the Jewish state the one pariah nation, transforming the old big lie, “Christ killer”, into the new big lie, “apartheid state, Nazi state”.

It's not “just” criticism of Israel—but resonates with historic anti-Semitism when Israel is the only nation singled out and delegitimized, and Zionism, which means Jewish nationalism, is the only form of nationalism deemed racist, even while nationalism remains the world's central vehicle for organizing large political entities. We have 192 nation-states in the United Nations.

And it's not "just" criticism of Israel—but becomes the new anti-Semitism when the BDS, the boycott, divestment, and sanction movement, which is actually the blacklist, demonize, and slander movement, targets Israel alone among nations. The burden of proof is on the blacklists. They must explain why we'd exile democratic Israel from the family of nations and not dictatorships like Libya, Iran, China, the Sudan.

Underlying all this is an essentialism familiar to scholars of anti-Semitism and of all forms of prejudice. People poisoned by hatred denounce the actor, not the act. Why leap from what might be justifiable criticism of an Israeli action into negating Zionism, into talking about the "apartheid nature of the Israeli state"? I'm quoting from a union resolution.

Here is the double-double standard. Israel is held to artificially high standards and denounced disproportionately. Then key groups violate core ideals themselves to denounce Israel. Gays overlook Muslim homophobia. Feminists ignore Arab sexism. Liberals forget Israeli libertarianism. Academics override their professional obligation to acknowledge the complexity of the world, and reduce everything instead to a simple black and white story with Israel as the evil perpetrator.

• (1235)

When some—not all—gay activists, feminists, liberals, academics, and others violate who they truly are and their own group interest in order to malign Israel, they are doing what bigots do.

But I don't want to wallow in a he-said-she-said debate about what constitutes anti-Semitism. I learn from my feminist friends, my gay friends, and my civil rights friends: the burden of proof is on the oppressors, not the victims.

I invite Israel's honest critics: confuse us. Prove you are not anti-Semitic. Denounce the ugly anti-Jewish caricatures in the Arab press, the rank anti-Semitism polluting Islamism, the Hamas charter, much Palestinian media, and so many anti-Israel protests.

If anti-Israel protestors stood up to Jew hatred and said "no, take down that sign, don't publish that cartoon, and change your charter", we would not need parliamentary inquiries like yours, and you would not need the courage you're displaying, knowing that you're going to get criticized for undertaking this important work.

So let's focus on some strategies.

First, name and shame. The Harper government showed at Durban II in Geneva and at this fall's UN General Assembly how governments can recoil and should recoil from Mahmoud Ahmadinejad and his ilk. The Honourable Irwin Cotler proposes to try Ahmadinejad for inciting genocide. Let's apply that principle consistently. Let's try the Saudis, Egyptians, the Palestinian Authority, and others whose leaders may be more subtle, but whose institutions and elites broadcast venomous anti-Semitism. And let's train and instruct our diplomats to object to anti-Semitism and all forms of oppression—to take it personally.

Second, let's defend human rights as part of the Canadian patrimony by confronting the human rights community on its role as the "useful idiots" of Arab anti-Semitism. We should be so proud of Canada's role in drafting the early declarations on human rights. We

should teach legislators and diplomats that when the language of human rights is hijacked by dictators or demeaned by hypocrites, it's a Canadian issue, because Canada has a historical, ideological stake in the human rights infrastructure.

Let's monitor the monitors. Let's create a working group of parliamentarians of Canada—or perhaps beyond—issuing yearly report cards. Let's assess the UN, its Human Rights Council, and maybe human rights NGOs, demanding they maintain the high standards of universality, consistency, uniformity, and fairness embedded in the Universal Declaration of Human Rights.

Third, let's avoid fights about rights. The government's bully pulpit can change the dynamics on campus, the media, and the Internet. When Israel's critics cross the line from opposing Israel's policies to fomenting anti-Semitism, they hide behind rights talk. Professors yell "academic freedom"; journalists cry "freedom of the press".

Let me be clear. I support academic freedom; I oppose educational malpractice. A professor should be free to criticize Israel in the classroom, but that professor commits educational malpractice if students feel harassed for disagreeing. Unfortunately, that often happens when professors turn their lecterns into political soapboxes. Similarly, if reporters print lies about Israel they should be censured, not censored, by other professionals.

The government can help universities protect students, first by raising awareness about the problem of educational malpractice. Let's change the language; professors who bully students politically are not doing their jobs. Second, universities can protect students by establishing procedures for students to document abuses when they occur and to get a fair hearing.

Fourth, let's have leadership, not censorship. When violence erupts, universities have failed. I ask, "Where are the grown-ups?" If any students feel threatened, we as professors have failed, and we must take it as our professional responsibility to defend those students.

Our students watch us. When we professors, who are the moral authorities on campus, cower, don't stand up, don't turn the violence at York University into a teachable moment, and instead leave it to administrators who have much less contact with students and simply go home or stay in our offices, we have failed. Government should not dictate what to do, but it can encourage and teach professors to lead by developing protocols for asserting leadership when things sour on campus.

•(1240)

Finally, let's stop playing defence. Let's turn this ugliness into something beautiful. As an educator, I say more is more: the more Canadians learn about Jews and Judaism and the Jewish state, the harder it will be to demonize Jews, Judaism, and the Jewish state. But more important than that, let's take this ugliness and turn it into an opportunity to teach about civility and democracy and liberty.

Let's deputize the next generation of Internet users to fight hate through a "citizenship 2.0" program in schools. I'm a parent. Everyone frets about the blogosphere, about the kids spending too much time on the Internet. If we knew that our kids were educated on how to be good citizens on the Internet, how to fight hate, we'd feel a lot better about it, and you would have taken, in a jui-jitsu move, the ugliness and turned it into something positive.

Ultimately, this is a struggle for the soul of the west and the Canadian patrimony. Canada's commitment to universal human rights must be applied fairly, consistently across the board.

I congratulate you for being on the right side of history and for just saying no to anti-Semitism, no to hatred, and no to bigotry but also saying yes to higher ideals of democracy, civility, and liberty.

Thank you.

•(1245)

The Chair: Thank you.

We will move to Denis Lemelin and Marion Pollack.

[*Translation*]

Mr. Denis Lemelin (President, Canadian Union of Postal Workers): Mr. Chair, members of the Canadian Parliamentary Commission against Anti-Semitism, good day and good afternoon. I am accompanied by my colleague Marion Pollack. I would like to thank you for giving us the opportunity to express our opinion.

First, I want to mention that we represent 54,000 members across the country, and that our union has a long tradition of international solidarity and of fighting for human rights across the country and around the world. Our position on this solidarity is very strong.

I would first like to address one important aspect because, when we talk about a union, we are also automatically talking about the labour movement and what is happening internationally. Our position of support is extremely clear in this regard. I would like to point out that we support all efforts for peace throughout the world. Consequently, when people fight to maintain peace, when there is a coalition, when groups come together to support peace throughout the world, it is in keeping with our position.

That position implies one major aspect. That is the way in which we act, by direct non-violent action. This is an important part of our stand, because direct non-violent action means finding other ways than military means or the use of arms to resolve the issues and problems that exist in the world. We know that boycotts are one of the most significant economic weapons that can be used, because they respect the principles of non-violence and can bring about change.

[*English*]

I will switch to English and read our presentation to the committee, because I know we have ten minutes.

CUPW supports the right of Israel to exist. The BDS position does not challenge this. We believe that Israel cannot be secure as long as the occupation of the West Bank and the siege of Gaza occur.

CUPW does not agree with Alan Dershowitz's formulation that BDS means that Jews or the Jewish community should be excluded from the international community or that they are dangerous and unworthy of international participation.

CUPW wants Israel to live up to a number of UN resolutions and World Court decisions regarding the right of return for Palestinians, an end to the occupation, a return to the 1967 border, and fair treatment of all people within Israel.

CUPW's position in support of BDS is consistent with the call from Palestinian civil society, including, for our purposes, the Palestinian General Federation of Trade Unions. In fact, the Palestinian General Federation of Trade Unions recently reaffirmed their support for BDS.

CUPW does not agree with and would not participate in such things as chanting "Death to Jews", equating Jews with dogs, or throwing pennies at Jewish students. If CUPW members witnessed such things, they would ask the participants to stop. This view is consistent with policies in our national constitution, which strongly oppose racism, sexism, and homophobia, discrimination against aboriginal people, transgendered, or differently abled persons.

CUPW disagrees with the proposition that anti-Semitism is the same as anti-Zionism. CUPW understands that the theory of Zionists was developed in the late 1800s by Theodor Herzl.

The Quebec Jewish Congress outline states:

The new anti-Jewishness, otherwise referred to as anti-Zionism, "involves the discrimination against, denial of, or assault upon the right of the Jewish people to live as an equal member of the family of nations".

CUPW opposes discrimination against Jewish people in any way, shape, or form. We believe that the state of Israel has the right to exist.

One of the goals of CUPW is to ensure that Palestinians in Israel and the West Bank also have the right to live as equal members of the family of nations. We are concerned that in the West Bank, Palestinians who work side by side with Jewish settlers are covered by different labour laws. The settlers are covered by Israeli labour law, and have fairly good wages and benefits. The Palestinians are covered by outdated Jordanian labour laws, and have poorer wages and benefits. CUPW has fought against this type of discrimination in Canada Post, and this is part of our struggle for global justice.

We know that in some places in Israel, the homes of Palestinians are being destroyed. One of the aims of BDS is to ensure that all residents of Israel are treated fairly and equally under the law.

CUPW recognizes that Israel has some progressive policies in regard to LGBT rights. We applaud them for that but are concerned that the rights of many Palestinians are being ignored. The CUPW resolution supporting BDS was a resolution that was passed by several locals and sent to a CUPW regional conference, where it was discussed and debated. Once passed, it was forwarded to the CUPW national convention.

At our national convention of 2008, it was discussed and debated. In fact, there were several attempts to shorten the debate so we could discuss other resolutions about Colombia and Burma, but the delegates to our convention decided to continue the debate. There was concern as to whether this policy was anti-Semitic, as CUPW delegates were clear that they did not want to endorse anti-Semitism. After a great deal of discussion, the delegates democratically voted in favour of BDS.

I want to be clear about the debate at the CUPW national convention. No one challenged Israel's right to exist, and no one used racist or anti-Semitic language to talk about Jewish people.

In the past year, CUPW has written letters to the embassy of Ecuador about an attack against indigenous people; numerous letters to the President of Iran about the denial of trade union and human rights; numerous letters, including to some members of this committee, opposing the Canada-Colombia free trade agreement; a letter to the government of Sri Lanka opposing the denial of human rights to the Tamils; and a letter to the government of Burma opposing the detention of Aung San Suu Kyi. CUPW has also campaigned for an end to the use of security certificates as well as for the unconditional release of people who are currently held under security certificates.

• (1250)

CUPW has also spoken at demonstrations supporting the human rights of the Tamils, has spoken at demonstrations outside the Iranian embassy in Ottawa, and worked with Philippine organizations and unions supporting human rights in the Philippines.

CUPW has a policy of international solidarity, and we see our support of BDS in line with that policy.

CUPW does not have recommendations in its presentation, but we want to make some recommendations to the coalition now: that the report from this hearing makes it clear that criticism of Israel is not anti-Semitism; that the Canadian Human Rights Commission have its funding increased in order to deal with all complaints of discrimination and in order to increase its prevention and education initiative; that the Canadian government be urged to actively persuade Israel to stop the building of settlements and the occupation, support the right of return, and treat all of its citizens in an equal manner; that the government increase funding to hate crime units of police forces so that people facing all forms of discrimination, including trans-phobia, Islamophobia, and anti-Semitism, can have their complaints handled by trained staff.

Those are the recommendations we make to this committee. We are ready to answer questions and debate our position.

Thank you.

The Chair: Thank you very much.

Now we'll go to Nathalie Des Rosiers.

[*Translation*]

Mrs. Nathalie Des Rosiers (General Counsel, Canadian Civil Liberties Association): Good morning. I want to thank the committee members for having us here.

I represent the Canadian Civil Liberties Association. I am pleased to speak to you today.

The first part of my presentation will be in French, and the second will be in English. In the first part, I want to talk about what should be done, recommendations that the association wants to make to the committee. In one sense, I want to respond to the Honourable Dr. Bennett's idea that children are immunized. I believe that a booster shot is necessary. The first part of the presentation will deal essentially with the ways in which Canadian tradition needs to be improved to fight and beat discrimination.

• (1255)

[*English*]

In the second part I'll talk about resisting temptations that are facing us as well.

[*Translation*]

Any attempt to condemn, prevent and, eventually, eliminate discrimination and anti-Semitism has to focus on four groups: those who suffer from it; those who are indifferent and who tolerate it; those who show discriminatory and bigoted behaviours and who benefit from the situation; the decision-makers and opinion leaders who are often powerless to the extent that they do not know how to deal with the problem.

The association is proposing the following strategies: first, to ensure effective access to the mechanism that currently exists; second, to strengthen our tools based on a knowledge of our experiences and the scope of the phenomenon of discrimination; third, to strengthen our knowledge and the use of tools to promote a discourse and a culture that are pro-equality and anti-discrimination.

With regard to access to the already-existing mechanism, it is clear that, in the current context, we believe in improving and funding human rights commissions as well as providing symbolic support for their existence. They are being threatened at present and it is time for many of us to highlight the need to maintain them and recognize their role within Canadian society.

Second, we want to propose that the entire Canadian legal system be used to ensure protection against discrimination. Discrimination is often internalized. This is one of the most perverse aspects of discrimination and anti-Semitism, in the sense that it affects an individual's ability to feel that they have rights. The first step must therefore be to convince victims to recognize the injustice they face. The injustice must be named, but we also need the ability to resolve it.

We know that the issue of access to justice in Canada is difficult. I want to stress the importance of tying this committee's work to all the efforts being made to shed light on the need to promote access to justice, the accountability of police forces and of our democratic institutions in general.

[English]

Some people will not know that they have suffered from anti-Semitism, but they still need to have remedies for the unjust treatment they suffer, so the way we want to support an accessible legal system helps them in recognizing and stopping the injustice.

[Translation]

We need to strengthen our oversight tools and help the decision-makers. You are no doubt aware that Statistics Canada conducted a study in 2003 seeking to better understand the phenomenon of discrimination. The method used was based to some extent on the one used for domestic violence. Statistics were compiled not only from police reports, but also from victims. That is important. We have been told that Statistics Canada continued its work into 2009. I think it is important for the committee to support and promote the need for Canadian society to have the tools it needs to fight against and understand the scope of anti-Semitism and discrimination. In the same way that statistical analyses on violence against women allow us to conduct longitudinal studies to see progress and mistakes, a similar approach must be used with discrimination and anti-Semitism. It is important not only for Statistics Canada to continue this work, but for the report to be used properly and for everyone to have access to it in order to learn from the information it contains.

My third point is that we also need to support the mandate of and ensure funding for human rights commissions. I suggest that we expand their educational mandate a little. In my opinion, human rights commissions must establish speakers' bureaus, provide more opportunities to use anti-Semitic incidents to send out a more direct message. Why, for example, when there is a demonstration in Montreal with slogans such as "Death to Jews", is there not an immediate response published in the newspapers condemning what has happened? To some extent, the Canadian Civil Liberties Association continues to believe that section 13 of the Canadian Human Rights Act is a poor use of the resources of human rights commissions. I will come back to that in order to answer the question asked by the Honourable Irwin Cotler. In a sense, this never prevents a commission from using proactive tools to immediately identify the need to counter... Our mandate is:

[English]

"We don't need less speech; we need more counter-speech". We need counter-speech that is effective, direct, and on time. This will be part of our suggestions here.

• (1300)

To this idea that we don't need less speech, I would counsel the coalition to resist the temptation to invest more into strategies that aim at curtailing speech as opposed to giving the tools to Canadian society to react promptly by investing in counter-speech. It is always difficult—legally problematic, sometimes politically unwise, and often strategically counterproductive—to focus all the time on trying to ban speech at the right level. It would be much better to give all

human rights commissions the mandate to be more up front about investing seriously in counter-speech.

It is inappropriate, always inappropriate, to label students with any alleged sins of their countries of origin. It's inappropriate to do so for people who live in Zimbabwe. Anti-Bush controversies should not be targeted at American students. And it's particularly sensitive, I think, when we're dealing with the criticisms of Israel.

The question is what do we do in the context where we're faced with hateful speech, or speech that just goes beyond what we would think is appropriate? I think it's incumbent on all members of the community to react and to have the tools to react. Often universities don't know what to do.

My suggestion is that the Human Rights Commission should have a tool kit on how to respond to the crisis that happens around anti-apartheid week. What are the appropriate ways in which you can immediately have counter-speech? Have a speakers bureau. Have strategies to bring together the leaders of the student movement so that they understand their responsibility to create an atmosphere on campus that allows everyone to participate fully.

I would counsel against going further and trying to encourage universities to ban speech, because universities are places where they have the mandate to support innovation. Universities are often targeted for not being good enough at supporting innovation. You can't have it both ways. You can't support innovation and the exploring of new ideas in an atmosphere where speech will be controlled. You have to accept that there will be *déravage*. There will be occasions when the wrong type of utterances will be heard. Your responsibility as an institution is to then insist that counter-speech be made available promptly and efficiently.

On that note, I will finish by saying that we encourage more speech, not less, and more intelligent, well-informed speech.

• (1305)

The Chair: Thank you.

I just want to inform the members that we've sent two staffers to the members' lobby. They will come back when there are about five minutes left. We should be okay to ask one question, maybe two if they're brief, before we suspend the hearings. We'll come back after the vote.

To the witnesses, I would ask you to please stay until we come back. I apologize for this vote.

Madame Folco.

[Translation]

Ms. Raymonde Folco: Thank you very much.

My question is for Mr. Lemelin. I listened to you closely and I congratulate you because you said that your union supports all efforts to support peace. That is very good. You also gave us a rather comprehensive list of letters that, if I am not mistaken, were sent out by your union. I made myself a little list: Colombia, the Philippines, and so on. You spoke about direct non-violent action. I think that those are the kind of things that a union must do because I believe they have a social responsibility.

I was struck by something in your list: there are no countries from the Middle East on it. Yet in the Middle East, there is Iraq with a Kurdish minority. We know that Iraq was created haphazardly, as Mr. Troy pointed out, by England, France and other countries. The Kurdish minority is spread over Iraq, Jordan, Turkey and Iran.

I would like to know if you have taken any action with respect to Iraq. If so, what kind of action have you taken? It strikes me that your actions with respect to the people of Palestine have been very strong, very proactive, very comprehensive. I would like to know if you have done the same thing for the Kurdish minority in those three countries.

Mr. Denis Lemelin: I would like to clarify something. You mentioned countries in the Middle East. I did say that we have taken action with respect to workers in Iran. That is the same context.

Ms. Raymonde Folco: Iran is not in the Middle East.

Mr. Denis Lemelin: No, but the situation is still...

I think that it is important to understand one thing. We are a union. As a union, we act on mandates given to us by our members. Our members meet every three years, at a congress, in order to decide what those mandates will be. The mandates dealing with Iraq were not about the Kurdish issue but about opposition to the war that took place in Iraq in the 1990s and again in 2003. Our campaign was for peace in Iraq, against war in Iraq, to be specific. It is important to understand that we work on mandates given to us by our members.

I think it is also important to clarify the approach that our union took with Palestine. Everyone has known what is happening in Palestine for several years. Our union's approach to Palestine was not decided at a congress alone. In 2002, the Canadian Labour Congress organized a delegation. Union leaders went to Palestine and Israel. Our president at the time participated in the delegation that went to Palestine. After that visit, or confrontation, an initial resolution was debated in a subsequent congress. It was after those positions on what was happening that, at last year's congress...

Our actions are the result of six or seven years of specific work on the part of the union and its members. Resolutions have to come from the ground up. They are adopted at our congress by 700 to 800 individuals. So they have to come from the grass roots and follow a process in the year preceding our congress. Our congress is advertised, preparations are made eight or nine months in advance so that debates can be held. So there was information.

• (1310)

Ms. Raymonde Folco: Thank you, Mr. Lemelin. I am sorry to interrupt you. I understand the process. The fact remains that, in Iraq, there is a Kurdish population that, God knows, has been mistreated, to say the least, persecuted, killed, murdered, and so on...

The Chair: I am sorry to interrupt you, Ms. Folco.

[English]

We have only five minutes left before the vote, so we have to get going.

[Translation]

Ms. Raymonde Folco: Can I ask Mr. Lemelin my second question?

[English]

The Chair: You'll have to be very brief.

Ms. Raymonde Folco: Oh, do you want to finish now? I'm sorry. I didn't understand that.

The Chair: We'll suspend until after the vote and we'll come back.

Thank you very much. Please stay where you are.

• _____ (Pause) _____

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• (1330)

The Chair: We will resume the hearings of the inquiry.

Thank you very much for being here.

We have a question from Scott Reid.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Thanks.

My question is for Dr. Troy.

You were talking in your presentation about the new anti-Semitism, and you described very eloquently the attempt to use apparently objective rules, the language of human rights, the language of anti-racism, and so on, to actually single out Israel from the rest of the world and treat it differently. The little suite of questions I have revolves around that.

First of all, although the term "new anti-Semitism" is used, I wonder if that's really a very precise term. I look back at the resolution passed in 1975 by the United Nations, which equated Zionism with racism. I wonder if when people use the term they really mean essentially post-war anti-Semitism or post-colonial anti-Semitism.

Second, related to that, something that strikes me as being a problem is that we have a situation in which many, or perhaps most, of the countries of the world, the states of the world, are in effect in violation of their human rights obligations under the UN Charter, but there's a selective decision, largely by these very same states, to single out and focus on Israel. My own speculation is that it may be for the same reason the dictators of Argentina wanted to invade the Malvinas: it distracts attention. But whatever the case is, what does one do when one is faced with rules that can be selectively enforced and self-enforced by an essentially collegial body so as to turn one country into a scapegoat? Is there in fact a practical way of defending against that?

Dr. Gil Troy: Thank you for those questions.

I'm actually working now on a book on the 1975 Zionism-as-racism resolution, which you pointed out. That's why the new anti-Semitism is kind of the word that's out there, the term, but you're right, a lot of it goes back to 1975.

The story I am focusing on, as an American historian, is the story of Daniel Patrick Moynihan, who comes to represent the United States in the United Nations, with no connection to Israel—in fact, having been part of the Nixon White House, he never quite understood why Jews were hawkish on Israel and dovish on Vietnam, so he wasn't a big pro-Israel champion. He sees the shift in the United Nations and he sees the way the third world is ganging up on Israel, precisely, as you said in your second point, to displace any kind of conversation about their own failures, about their own inability to develop democracies. He sees this as part of a broader Soviet plot, and he's not wrong. What is amazing is that what I call the new big lie has outlasted the Soviet Union.

In 1976, in the wake of that Zionism-is-racism resolution, the great Princeton historian, Bernard Lewis, wrote an article in *Foreign Affairs*—and I'll be happy to pass it on to the committee—in which he looked at the polluted origins of the Zionism-is-racism resolution. He sees that it comes, first of all, from Nazism and the attempt to treat Jews as a race rather than as a people, and taken then with Soviet propaganda.

You're absolutely right, this has been going on and building. The tragedy is that in 1991 the United Nations, recognizing the error of its ways, repealed the resolution. It's the only resolution in UN history, I believe, that has been repealed. And yet the power of the new big lie was so strong that it was resurrected in Durban and today is part and parcel of the arsenal used against Israel.

The real essence of your question, which is what can be done about it—this is what I was trying to say in my presentation, why what you're doing is so important. I say this as an American, as an American historian. Canada has a credibility on human rights issues that few other democracies in the world have, and seeing this, and especially the Universal Declaration on Human Rights, as part of the Canadian patrimony and making Canada the point country, if you will, in naming and shaming, in pointing out, in monitoring, in saying that this language of ours that is so precious, that is so holy, that is one of the few good things that emerged from World War II, is being hijacked and demeaned..it is not just a noble effort but truly a holy effort, and I urge you to continue.

Thank you.

•(1335)

The Chair: We have to move on. I have to remind the members to keep their questions very short. As well, answers from the witnesses will have to be very short, because we have to leave here by two o'clock.

Professor Troy, I know you have a flight to catch at three o'clock.

Ms. Hoepfner.

Ms. Candice Hoepfner (Portage—Lisgar, CPC): I have two questions that have to do with speaking out against anti-Semitism.

Ms. Des Rosiers, you talked about not stopping speech at universities but allowing more speech to grow to counter this. I have a concern and I really would like you to help me understand: how do we not allow it to become purely hateful speech? I mean, we have standards.

There are lines that we don't cross when it comes to women. We would not have groups that would be having displays.... It wouldn't matter even if they had an issue they disagreed with, an issue that was a women's issue. Maybe a group thinks that all women should stay home and raise their children, so they have a huge display about women and how women who don't stay home don't love their children. That would be a very blatant anti-women display. We would not tolerate that.

My question is, how can we tolerate and accept displays that may have to do with the Middle East conflict, but are blatantly anti-Semitic and anti-Israel? I just wonder if you can explain that.

Ms. Nathalie Des Rosiers: When you say that we wouldn't tolerate it, I'd be very doubtful that a campus would say the display cannot take place.

Ms. Candice Hoepfner: Well, they did for people who are anti-abortion. They weren't allowed to, so....

Ms. Nathalie Des Rosiers: That's a problem as well, I think, because it's much better to use the display to point out how wrong and how ill-advised it is. That's what counter-speech is: using the opportunity afforded by the expression of wrongs to transform it into a learning and educational opportunity. That's what we're talking about.

There's danger in trying to decide what goes on and whether a display goes on or not. It's legally problematic at times. It certainly is strategically counterproductive, because they then become the victim and they argue about free speech. It puts the administration on the defensive, as opposed to being in the proactive role, which is to argue about the message that's being condoned, that's being said. That's what I'm talking about: creating more and better opportunities for counter-speech.

•(1340)

Ms. Candice Hoepfner: In an ideal world, I guess that's what would happen, but it does concern me. There seem to be groups of people that are protected and where there's no worry about crossing the line of censorship—women, gays, and aboriginals, and rightly so—but it seems like for Jewish people it's open season and there can be very blatant and very hateful displays against them.

For my next question, I'll just go quickly to Dr. Troy. I think it's very easy for us as parliamentarians to see the twig in somebody else's eye and not pull out the big log in our own eye. I'm wondering about anti-Semitism when it comes to naming and shaming. We recently had a witness here who cited a member of Parliament—and she did not give the name—in whose riding there was some vandalism and anti-Semitic behaviour. The member saw it. He or she said it was bad, but said, "I will not publicly say anything about it". I think the witness was Ms. Klein from B'nai Brith.

Do you expose that? Do we as members of Parliament expose that? How do we, in this place, hold each other to account? It's not like there's anti-Semitism, but it is tolerated, and we don't name it and shame it. I'm very concerned about that. I'm wondering what your advice to us would be.

Dr. Gil Troy: In the education biz, we talk about teachable moments. These are teachable moments, but they're also moments that judge, and I think we have to seize these opportunities. If, for example, a union says that it denounces anti-Semitism but never stands up and does that, and if a member of Parliament witnesses something and never stands up and denounces it, then we have a problem.

I think part of our collective responsibility as a community is to call each other out, not in a negative way and not in a libellous way, but to say, "Here you were given the opportunity to show where you stand on the issue and you failed, so now here's your opportunity for redemption, and we're waiting to hear from you".

Ms. Candice Hoepfner: Thank you very much.

The Chair: Thank you very much.

We'll now go to Judy Wasylcyia-Leis.

Ms. Judy Wasylcyia-Leis (Winnipeg North, NDP): Thank you very much.

Thanks to all of you for being here.

I want to get to the overarching issue here that has been most contentious throughout the hearings, and that is this. If in fact we say and we believe that criticism of the state of Israel is not, in and of itself, a gesture of anti-Semitism, and if part of that criticism of the state of Israel is, as the Canadian Union of Postal Workers has said, to recommend certain actions, like a boycott, then is it fair to conclude that that in itself is not anti-Semitic but is a question of public policy, which we may disagree with? By leaving the impression that it's part of this new anti-Semitism, aren't we creating more problems than we're solving, and aren't we in fact diluting the whole process to the point where it becomes meaningless and open to attack, when we should in fact be bringing people onboard, working together to deal with something we all find offensive, which is anti-Semitism?

It's a broad-ranging question. To me, it's the overarching debate right now that we have to deal with as a committee, and I'd love to hear from all of you on that.

Maybe I should start with CUPW.

Ms. Marion Pollack (National Union Representative, Canadian Union of Postal Workers): The Canadian Union of Postal Workers doesn't see criticism of Israel as anti-Semitic. A formulation here that is increasingly problematic is to say that anti-Zionism equals anti-Semitism. I think the criticism of Israel, of its policies, is legitimate, as are the criticisms of the policies of Colombia, Sri Lanka, or, something our union does very frequently, the criticisms of the policies of Canada.

To make that equation I think is in fact stifling any legitimate discussion, and any legitimate thoughtful discussion, and I think that has even more severe consequences.

I don't believe that boycott-divestment-sanctions is an anti-Semitic policy. We support the right of Israel to exist. We disagree with the occupation. We think the occupation is illegal, and that position has been upheld by the World Court and UN resolutions.

●(1345)

Ms. Judy Wasylcyia-Leis: I'm just trying to get at what we all understand is the definition of anti-Semitism. I hear what you're saying. I think where we start getting some backs up against the wall is when Israel is lumped in with Colombia but not a lot of other countries. So I think sometimes there is a big difference.

Ms. Marion Pollack: But I don't see Israel and Colombia as the same. Israel doesn't have a paramilitary force that's assassinating trade unionists, like they have in Colombia.

What is the definition of anti-Semitism? I think we're very clear. It's the promulgation of hatred against Jewish people. It's not the promulgation of discussion and disagreement with the policies of a state. I think that's the difference.

Ms. Judy Wasylcyia-Leis: Dr. Troy.

Dr. Gil Troy: First of all, there is a rich tradition of criticism of Israel. Let us not delude ourselves into thinking that Israel is not criticized left, right, and centre in Israel, out of Israel, on campus, off campus. Sometimes this conversation goes to a situation where people pretend that Israel is this fragile fruit that cannot be touched. It's touched, it's bruised, it's criticized a lot, and I certainly agree that Israel's policies can and should be criticized when necessary.

But look at the language. You can talk about the "apartheid" nature of the Israel state, or you could criticize specific policies on the West Bank. That language is important. Think of two e's: essentialism and exceptionalism. The essentialism of so much of the rhetoric today, going to the essence of the being, of the entity, of the state of Israel, is what doesn't pass the smell test and unfortunately falls into historic patterns of anti-Semitism. The exceptionalism, when Israel is singled out, is part of the problem.

Two other quick thoughts. One is let's also look at just the easy part. There is, unfortunately, so much virulent Arab anti-Semitism, which is connected to the fight against Israel. Let's start by attacking that. Let's start by denouncing the anti-Semitic parts of the Hamas charter. Let's start by pointing out the media in the Palestinian authority, which is so virulently anti-Semitic and will go a long way to solving the problem.

I'll stop there.

Ms. Judy Wasylcyia-Leis: Nathalie.

Ms. Nathalie Des Rosiers: I think people disagree on the different definitions, and that's good. That's part of why we're all here, struggling. I think already expressing the fact that this is a complex issue helps to enlarge the debate, and I think it's not appropriate to curtail speech and say you shouldn't talk about this because that might lead to essentialism, and so on. I think the idea is to indeed raise the question of whether you are indeed guilty of singling out Israel, and whether you should indeed broaden your reflections and your criticisms.

Being confronted with the limitations of one discourse is part of being a good academic. Part of a good discussion is saying "You're saying this, but you're inconsistent because you haven't said that in this other case". That's what we want.

In a democratic society, you are challenged for being too narrow or too wide, and we should welcome that here as well.

Mr. Denis Lemelin: I'd like to make just one point. I think it's important that when we submitted our briefs in August, we were clear about the definition and about differentiating between what's happening around anti-Semitism and what's happening in the state of Israel, but I think when we're talking about facts, we have to look to what's happening internationally.

When we look at this whole issue of what's happening, the boycott and everything happening in the Middle East and Israel, we have to look at the international law, and the United Nations, which adopted some resolutions that the state of Israel didn't agree with. I think that's part of it too, because you have to be part of the international community, but to do that, you have to be respectful, in some ways, when the international community gives you some advice or gives you some directives. That's part of it too. But when you said at the end that maybe it will be bigger, I think it's always good to have debate and to identify the different aspects of it, but in the end, only time will tell exactly what will happen. We think that the most important thing happening now is the BDS campaign, to make sure that, as we said, everybody will be free and everybody will be treated on an equal basis.

• (1350)

The Chair: Thank you very much.

Ms. Neville.

Hon. Anita Neville: Professor Troy, I was intrigued by your double-double standard and your comments on it. I would appreciate if you would elaborate and if you could cite any other situations where you see it flagrantly portrayed. But more importantly, how do we combat it?

Dr. Gil Troy: It's a very interesting question. I can't think of any other target that so pulls out this double-double standard. I can't think of any other point where I see the feminist movement ignoring issues of rank sexism, where I see something like Queers Against Israeli Apartheid, when we know that in the Middle East, the safest place to be homosexual is in Israel. The hypocrisy is again one of those things that doesn't pass the smell test.

The harder question is, then, what you do about it. Part of it, I think, is having an education campaign. I'm an educator. I believe in education. Part of it is having inquiries like this, and part of it is confronting people. This happened in Toronto and in Montreal this summer. There were Queers Against Israeli Apartheid, and there were other members of the homosexual community who said "Let's look at the facts".

Will it solve the problem? No, but at least to start a dialogue, to have credible people.... People want to type me as being from the right. I tell them they think I'm a rightist because I'm pro-Israel and I'm anti-terror. That just means I'm a liberal. I need more progressive voices, people who say they are critical of the Israeli occupation, but also critical of this kind of essentialism, this kind of libelling that's going on.

Hon. Anita Neville: Thank you.

The Chair: David Sweet.

Mr. David Sweet: Thank you, Mr. Chairman.

I wasn't here for Madame Des Rosiers' testimony, but I did hear some of it second-hand, so I hope I'm on target here when I ask a question.

We've had a number of witnesses that are for freer speech, and some—in fact in the last panel—who are in favour of curtailing it where it's appropriate, where it's very harmful. My concern—and I'm hoping actually to get some insight from you—is that it's okay in one sense, if you're on a university campus and there are rigorous parameters for an academic debate and people get equal air time; but in the public square—radio, television, print media, and now the Internet—those who are reporting have the ability to select. So how do we deal with that when we're talking about freer speech and allowing those arguments to have their full play in the public square?

Ms. Nathalie Des Rosiers: I think the recommendation here was to give the Human Rights Commission a role in monitoring and reacting and for it to be the voice that reacts to abusive speech. So instead of always asking the Canadian Jewish Congress to be there, to say what is outrageous, and to ask what happened and so on—which is good, because they do a fabulous job and so on—you would have another voice to say that something was inappropriate, that it was expanding criticism of the alleged sins of the state of Israel to people who live in Canada who are of the Jewish faith.

You would have another voice to say that this was inappropriate. It would allow for counter-speech to be in real time, right away, and to reframe the debate. We can't control what commentators do on the radio, and we shouldn't. What we should allow is the empowering of people so that if they feel they have not been treated fairly, they will have a legal system where they can go for a remedy. If they feel that they want to speak about this, they must have the possibility of doing so. We are suggesting that a broader education mandate, not in the traditional way of issuing a report, but with a little more of an accent from the Human Rights Commission, could help stabilize things.

• (1355)

Mr. David Sweet: Have you given any thought to having punitive measures for the commission if the selectivity of the particular commentator or media outlet is such that it actually skews and in fact manipulates the legitimate argument?

Ms. Nathalie Des Rosiers: I think there are a lot of ways in which people can be called to action on free speech. You can be challenged for being stupid, irrational, doing manipulative things, or being unprofessional, and we should certainly challenge people who are unprofessional, who do bad journalism, who do bad teaching. We should certainly do that. People who do not present the whole picture should be challenged.

Should we prevent them from speaking out? No. We should challenge them when they do. That's our message.

Mr. David Sweet: Thank you.

[Translation]

The Chair: Ms. Folco, you can ask a very short question. The answer will also have to be very short.

Ms. Raymonde Folco: Given that the bells were ringing, I had no time to finish my train of thought.

When the members decided to create the group you see before you, the first criticism directed at them—and not the last—was that they were seeing Israel in terms of anti-Semitism. I will not go into the details. You know what I am talking about. In the letter that you sent to us, and in one of the recommendations that you made—the last one, if memory serves—you stated very clearly that this committee should study not Israel but anti-Semitism. I repeat, that is definitely this committee's *raison d'être*.

I would also like to come back to the question I asked earlier. You referred to boycotting and BDS, I believe.

Mr. Denis Lemelin: Boycott, disinvestment and sanctions, towards the State of Israel.

Ms. Raymonde Folco: Are there other countries besides Israel that you have issued this kind of fatwa against?

Mr. Denis Lemelin: At this point in time, no other country or movement has warranted that type of action. There are 175 organizations world-wide that have asked themselves if the best way to bring peace back to the Middle East could be the direct non-violent action of boycotting. This has been developed significantly further, even over the past few months. Organizations and political parties have taken a position on these issues. This was the request that was made to the international labour movement. In the same way, the Colombian labour movement asked that the free trade agreement with Colombia be blocked as long as no study on human rights has been done. Requests have been made...

Ms. Raymonde Folco: I have to interrupt you again Mr. Lemelin. We have considerable evidence that shows that, currently, in China, people are taking organs from prisoners, for example.

Have any of your members asked you to boycott China and, if not, why not?

Mr. Denis Lemelin: We have not received that kind of request. I will give you an example. In Toronto, 300 to 500 of our members are

from the Tamil community. With everything that has happened in Sri Lanka—

Ms. Raymonde Folco: I am talking about China.

Mr. Denis Lemelin: You are talking about China but we have received no requests. From a union perspective, we support the efforts of the international labour movement. When the movement makes a request, whether it be through the International Trade Union Confederation or our own organization, we take action.

Ms. Raymonde Folco: Mr. Lemelin, one thing concerns me: in your entire membership, there appears to be no one who has made a request—if I understand you correctly—dealing with China and its organ removals and things like that. If I understand correctly, there appear to have been hundreds of requests about Israel and that is what I call a double standard. That is exactly what it is, Mr. Lemelin.

Mr. Denis Lemelin: That is one point of view. Except that if you look at our international reality, you can see that there are events and historical moments that organizations have to focus on. If we want to foster peace in the world, then our campaign on the current situation in the Middle East has an extremely important role to play, in our view. The issue is not whether this is a double standard. This is a concrete reality, these are facts, and we act on facts. If we become aware of other situations tomorrow, we will act according to policies that the union has adopted.

• (1400)

Ms. Raymonde Folco: Thank you.

[*English*]

The Chair: Thanks to all of you for being here. We appreciate it. I apologize for the interruption due to the vote.

This hearing is over. Tomorrow we will start at eight o'clock in the morning at 180 Wellington.

Thank you very much. The meeting is adjourned.

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