



CANADA

Canadian Parliamentary Coalition to Combat Antisemitism

EVIDENCE

Monday, January 25, 2010

—
Chair: Mario Silva

Parliamentary Publications

Monday, January 25, 2010

• (1130)

[English]

The Chair (Mr. Mario Silva (Davenport, Lib.)): I'd like to call the meeting to order.

I thank everybody, and I apologize for the delay.

I just want to run through a few things at the beginning to make members, the audience, and the witnesses aware that we have about eight witnesses coming forward today in the first part. What we call the second part will be in about an hour or an hour and a half.

Each witness will have about 10 minutes to speak. The proceedings will be recorded and transcribed. As you know, this is an unofficial parliamentary committee, so proceedings are not subject to parliamentary privilege.

We have with us some great people we want to hear from. We will start off with Patrick Case, director of the Human Rights and Equity Office at Guelph University, followed by Dr. Jack Lightstone, president and vice-chancellor of Brock University. We also have Dr. Morton Mendelson, deputy provost, student life and learning, McGill University; and Professor Bonnie Patterson, president and CEO, Council of Ontario Universities.

Mr. Case, you can start. You have 10 minutes, and we will have follow-up after everybody speaks, with questions and answers from people of all parties.

Thank you very much.

Mr. Patrick Case (Director, Human Rights and Equity Office, University of Guelph): Thank you so much.

Because of the presence of the committee on the web, and because, as the letter of invitation to my president seems to have indicated, the committee is focused on universities, I want to speak about what we do at the University of Guelph and the shape that things take there.

I have some statistics first, which I will go over once lightly, if you like.

When I started at the University of Guelph in 1999 there were about 30 members of the Jewish students' organization. Today there are over 300. When I started at the university you could fit the names of all Muslim-identified students on the campus onto a couple of sheets of 8.5 by 11. Now we've had to make special arrangements on campus for prayer space as the community has grown so dramatically.

Insofar as relationships are concerned, let me say that in the early days of my tenure at the university, in the early 2000s, every year, between the middle of September and the middle of November, there was a series of incidents that took place, hate activities, anti-Semitic activities, homophobic activities, anti-black activities. These activities took the shape of graffiti being daubed on walls and so on in residences, washrooms, and public spaces.

I have to say that in those days of the early 2000s, the community responses were absolutely incredible. They were dramatic. Led by the residence assistants and the staff in the university housing, there were rallies on the campus by hundreds and hundreds of students. In those early days the rallies were addressed by the president of the university. Then we developed what we called our hate activities vigil. Every September there was a vigil that took place on the campus by students opposed to hate activity.

By 2004 we decided that we needed to develop a hate activities protocol. That is a very clear way of dealing with hate activities as they arise on the campus. That protocol was developed. There is a committee that is responsible for implementing the protocol. The committee is composed of a faculty member, students, somebody from my office—the human rights office—on the campus, campus police, and a senior person from the human resources division.

The protocol requires a number of important things. One of them is that following the first hate incident in any given academic year, it is the president's responsibility to speak out. That has, in fact, worked. Over the last number of years, our president has penned a message in his own words and e-mailed it to the entire university population. That has garnered the most incredible response from faculty, staff, and students. He traditionally receives scores of messages of solidarity from people to whom the message has been sent out.

The committee's work is really split into two pieces. One of them has to do with graffiti. Between the campus community police and my office, we handle that extremely well, very rapidly, anytime anything appears on the campus. We have a community that is very sensitive to graffiti of all sorts, quite frankly.

We have statistics. I have those with me on my iPhone. I will tell you that I was sitting back in the hall just now worrying about our statistics to some extent, because if we compare our statistics to those of other universities or other institutions, we may be comparing apples to oranges. What you call a hate activity or a hate event all depends on what people's tolerance is. We have statistics that suggest that over the course of a number of years, the largest number of hate activities that have taken place on the campus have been homophobic incidents, followed by anti-Semitic incidents, followed by what we broadly call racist incidents, most of which have to do with anti-black graffiti that appears on the campus.

• (1135)

About the relationship between groups on the campus, let me give you an example.

Last year there was an incident in which anti-Jewish slogans were daubed on the walls of two washrooms in our University Centre. In the wake of that incident, the Jewish Students' Organization and the Muslim Students' Association issued a joint statement to their membership and to the university community at large condemning the incident.

The relationship between those two groups, at a formal level, is very good. A faculty member is the faculty liaison, if you like, with the Jewish Students' Organization. We work as well with the local imam in Guelph, and the local rabbi. The two groups go out every now and then and bowl together, eat meals together, and so on and so forth.

I've thought over the last year or more that we need to go beyond those efforts and actually get into some work that may be more proactive on the campus. I work with an organization called Facing History and Ourselves. Some of you may know of Facing History. Facing History is working with the university, early stages, to develop an educational module for the residence assistants on the campus. The intent there is to arm the residence assistants with a sense of history of anti-Semitism, with a sense of history of genocides and other hatreds, so that they can respond more effectively to incidents when they occur on the campus.

We also want to embed education about the Holocaust and education about other genocides into what we call Start Online. That's a program that students take before they come to the University of Guelph, in the summer. What we want to do is to impress on people what the values of the university are.

I have to tell you one reason why Guelph can take such a proactive role as far as hate activity is concerned. It's because of the values of the place. I know it's very popular to speak of values, values, values, but I'm a human rights activist, and have been for the last 30 years. I don't dub lightly on people human rights activism. My boss, the president, is a human rights activist. Right now he's in Botswana. We're working to help build a university in that country. Every year he works on a forum on poverty on the campus that is filled with not just speakers but activities as well.

The central message I want to get across here is that an aware community is one that has its defences against anti-Semitism and other sorts of hatreds. It's important that universities and other

institutions take a very proactive stance with regard to this sort of thing.

I know that you have questions. I read the questions. I'll stop now so that you can get into them.

Thank you.

• (1140)

The Chair: Thank you very much, Mr. Case.

Dr. Jack Lightstone.

Dr. Jack Lightstone (President and Vice-Chancellor, Brock University): Thank you, Mr. Chair.

I have a prepared statement. I think you have a slightly longer version of that statement. I'm going to introduce myself because who I am may bear on what you make of my remarks.

You know that I am the president of Brock University, and you know from my bio that I was at Concordia University for 30 years before going to Brock. What you don't know is that my field of academic expertise is the study and the history of Judaism, and I am Jewish.

At no time in my career has my religious identity restrained my career advancement, and at no time has the legitimacy or development of the academic study of Judaism been questioned. In these regards, anti-Semitism is a moot issue on campus. I don't credit this to the elimination of anti-Semitism in Canada; that is not the case, and frankly, it may never be the case.

Just as some Canadians harbour anti-Semitic views, some members of our university communities will too—we reflect Canadian society—but for decades, the tide in Canada, especially on campus, has been to eradicate anti-Semitism and racism and to embrace diversity. Today, racists and anti-Semites on campus accurately perceive that their views are considered to be socially unacceptable and that open expression of them is seen as severely career limiting and risks formal and informal sanctions. You have just heard that from the University of Guelph.

But there is an exception. For those who still harbour anti-Semitic sentiments in Canada and on campus, there is one garment in which Jew haters can cloak themselves, first because, *prima facie*, it's a legitimate activity, and second, because many or most who are engaged in it are not themselves anti-Semitic, and that is criticism of Israeli government policy and associated activism.

But outing anti-Semites by banning the cloak may be a cure that is worse than the disease. Within the world's Jewish communities and within Israel there is vehement public debate about and criticism of Israeli government policy with regard to the Palestinians, especially in Israel's universities. Criticism of Israeli policy is, in principle, no less legitimate outside Jewish and Israeli circles. The criticism of any government's policy by anyone must be acceptable, and in universities it is to be encouraged.

The idea of the university entails the analytic criticism and testing of ideas for the sake of either confirming, rejecting, or modifying them. Government policy, our own or Israel's, does not get a free pass. Furthermore, critics are themselves to be subjected to criticism. I am duty bound to defend those values as a university president.

It does not matter whether criticism makes those who support the contrary view uncomfortable. We even endure views that are ill-informed or one-sided because these views, too, will be subjected to analysis and criticism. Even the expression of distasteful and stupid ideas must be tolerated so that they may be confronted by their critics. Canada and its universities not only uphold free expression within the bounds of law; we expect Canadians to be engaged in the social issues of the day. If universities do not encourage such engagement and the resulting activism, then who?

Of course, there are limits to freedom of expression and activism. Canada's own laws prohibit hate speech and place legal strictures around destructive or obstructive activist behaviour. Beyond legal strictures, should universities impose further limits? Many forms of "yes" to this answer would constitute a dangerous slippery slope, somewhere along which the idea of the university is undermined.

Yes, much of the criticism of Israel and associated activism in Canada and on campus is disproportionately vehement and one-sided and would count as propaganda and vilification, but the same has been true of criticism of other governments at times. To suppress such things is inappropriate for Canadian authorities or for university administrators.

But does this mean that universities have an absolute obligation to take a *laissez-faire* stance? Absolutely not. Universities should encourage the value of reasoned, evidence-based analysis, for that is what a university is about, but we recognize that members of our institutions may not always live up to that ideal.

Moreover, university administrations have a duty to create environments where their members feel free to debate, study, conduct research, and go about their business without being subject to intimidation, harassment, or disrespect, and with the confidence that their security is protected—environments in which people are not subject to ad hominem attacks and do not feel stereotyped. Why? Because such an environment is necessary to uphold the core values and activities of the university. This is an appropriate realm for university policy.

In practice, such policies involve drawing lines in the sand in specific cases, lines that are often difficult to draw. We will err, but if we must err, then better to err on the side of the line that encourages free speech.

• (1145)

However, without such policies, every decision to draw lines seems ad hoc, preferential, or prejudicial, and university administrations will get whipsawed, being accused first of favouring one side, making corrections, and then being accused of favouring the other. I speak from experience here.

Yes, criticism of Israel provides the last cover for anti-Semites, first because criticism is part of the university ethos, and second because patently not all critics of Israel are anti-Semites, itself a terrible stereotype. So we must let the critics take care of the critics and such anti-Semitism that might hide there among. We must encourage reasoned, evidence-based discourse and activism, but we must have in place and enforce policies that create respectful, harassment-free, and secure environments.

Thank you.

The Chair: Thank you very much, Dr. Lightstone.

We'll now go to Dr. Morton Mendelson.

Dr. Morton Mendelson (Deputy Provost of Student Life and Learning, McGill University): I'd like to thank the committee for the opportunity to be here and to share some of McGill's experience.

I'm going to mention a little bit about McGill and then give a case study that I think may illustrate some of the issues that have been raised by Mr. Case and Dr. Lightstone.

McGill is an incredibly diverse university. We are arguably one of the most international universities in North America. Almost 20% of our students hail from among about 150 different countries. We have students from every province. About 25% of our students are from outside of Quebec, and of those from Quebec, we have students from all regions of the province.

There are other diversities represented on campus—religion, ethnic background, sexual orientation, and such—and the university has been privileged to benefit from a rather gentle experience with respect to conflict between groups. That's not to say that there have not been situations involving graffiti in a washroom against one group or another, or that there might not be heated debates about one issue or another, but it's clear that there is a civility in the university that we have been privileged to experience.

Nonetheless, there are certain initiatives in place to maintain civility and to socialize new students, who are coming from all over the world to downtown Montreal to study, into the ethos of the university. We have a social equity and diversity education office. We have floor fellow training that focuses on diversity. We have teaching assistant training that focuses on diversity, and so on.

However, I'd like to share with you an experience we had this year that is only tangentially related to anti-Semitism but that I think highlights some of the issues that Dr. Lightstone raised.

The issue had to do with a pro-life group on campus called Choose Life. Choose Life brought a speaker to campus, and the speaker was slated to make a presentation entitled "Echoes of the Holocaust". In that presentation he was going to decry the dehumanization of individuals, and he of course was going to include the unborn fetus and the unborn embryo. He was going to illustrate that dehumanization of individuals can lead to atrocities, and draw parallels with the Holocaust and other genocides. Unfortunately, he never had a chance to make his presentation because the event was disrupted by students who held views that were passionately contrary to his.

I'd now like to read a commentary that I sent to the student press. I think you'll see how it captures the issue of the importance of free speech that was described by Dr. Lightstone.

This appeared in the student papers in October of 2009, and it was entitled "Free Speech: A Cornerstone of the University":

Freedom to express a wide range of ideas—a privilege of our democracy—is essential in a modern university. Sharing ideas is indispensable to the quest for knowledge, which drives the intellectually curious who make up a university. It shapes our research and our attempts to discover what we do not yet know. It enriches our understanding, allowing us to add dimension and nuance to what we think we know and what we may take to be accepted truths. And it helps us understand that, in fact, there is so much yet to learn.

● (1150)

By pursuing intellectual freedom, we expose ourselves to a wide range of ideas. We will agree with some of them and disagree with others; we will be mildly dismissive of some, but we will be repulsed, offended, or even shocked by others. And, with luck, this active engagement with the world of ideas will continue throughout life, as some of our perceptions of what is true and what is offensive nonsense change.

Accepting and protecting another's right to express a point of view does not preclude our right to express our own opposing opinion. But there is a crucial difference between expressing disagreement and preventing others from presenting their views in the first place. Keeping others from speaking, or otherwise stifling debate or exploration, violates the concept of free speech that is fundamental to a university, and thereby attacks the very core of the academy.

A university must provide a wide berth to the ideas that can be expressed within its community. And that's why McGill must act to defend the right to free expression when someone attempts to undermine it. But there are limits to what may be said and disseminated on campus. Our legal system prohibits hate speech, defamation...and obscenity—prohibitions that apply here [in the university]. On campus, there may also be limits imposed on the placement of disturbing images meant to support positions or on handouts to people who have not willingly agreed to accept such materials.

There is an important difference between legally defined hate speech and speech that some find hateful. The former is not permitted; the latter can be, even if some are offended or disturbed by it. Our tolerance may be tested, but as long as the audience is present by choice and not by accident or requirement, even objectionable speech ought to have its place.

The students who sang and shouted down the speaker at the recent Choose Life "Echoes of the Holocaust" event violated one of the university's core values. Ideas must be given free expression in a place of learning and discovery. No one was compelled to attend the event; it was scheduled in a room that is not an open public space. No one was forced to see graphic imagery that many would find offensive; the publicity advised that the imagery would be shown, and the images were confined to the room.

Yet the protesters—a small group of self-appointed guardians of "truth"—decided that others should not be allowed to hear the speaker's views, even adults who voluntarily came to do just that. The protesters assumed that members of our community are not sufficiently mature to decide for themselves whether the speaker's views are legitimate or nonsense; worthy of debate or worthy of derision.

Some have mistakenly argued that once the Students' Society Legislative Council voted to censure the Choose Life event, the university had no business allowing the event to proceed. When an event is duly organized according to McGill's rules, as this one was, no individual or group of individuals—be they parents, donors, a student association, interested outside parties, or others—should be able to restrict free expression on our campuses.

There are legitimate ways to express opposition to a particular view—for example, debating in good faith, or holding an event to present a counter-argument or an opposing point of view. Indicating opposition through protest can be a form of legitimate expression. But stifling others' speech goes too far and undermines a basic tenet of the university.

Freedom of expression is a fundamental element of our civilized and democratic society, without which we would be immensely impoverished. We must all do our part to protect this essential right at McGill.

This article represents the McGill administration's position on the importance of free speech and the importance of open debate. It reflects the position, as is the case at Guelph, that when there is an incident on campus that violates a fundamental value of the university, whether that be the value of respect of various diversities, the value of free speech, or others, the university has to step in at the highest level and make a clear statement to the community so that everyone understands the values, and so that the new members of the university, the students who start every year, are socialized into those values.

● (1155)

Thank you.

The Chair: Thank you.

Now we will turn to our last witness, Professor Bonnie Patterson.

Professor Bonnie Patterson (President and Chief Executive Officer, Council of Ontario Universities): Thank you very much.

Good morning, distinguished members. Thank you for the opportunity to present today.

You have heard from several representatives of Ontario universities prior to now, and from several today as well. These colleagues are specifically responsible for their institutions in particular areas that centre on this issue. Certainly the presidents of our institutions take the ultimate responsibility for what happens and do step up on their campuses.

I am here really to reinforce our collective commitment to creating a respectful atmosphere for study and a respectful atmosphere on our campuses for work, free from injustices and discrimination and infringement on the rights and freedoms of any member of our community and visitors to our campuses.

The Council of Ontario Universities itself is a member association of Ontario's 20 publicly funded institutions, plus the Royal Military College of Canada. Our role is to provide advocacy, research, and policy supporting our members concerning major government issues that affect our sector. In that context, we do facilitate debate. We build consensus. We share best practices, good practices, and ways to advance higher education in Ontario and Canada.

Fundamental to all of this are the principles of academe. The academic freedom and the spirit of inquiry that you have heard about from all of our speakers this morning are the underpinning principles of our universities. University campuses are reflective of a very broad scope of Canadian values, committed to freedom of speech, which often does mean controversy and the exchange of difficult ideas. At the same time, they promote the importance of understanding and respect on campus and in our society.

Fostering respect on our campuses is a continuing challenge and a continuing mission of our institutions. Our universities have in place procedures. They have codes of conduct. They have protocols. They have policies that address human rights, equity, discrimination, and harassment, and reinforce these policies and codes when issues arise. They promote respectful and constructive dialogue and debate on campus, but debate there is, on many varying issues that are difficult in society.

Our institutions have missions that are reflective of Canadian values and are worth repeating: tolerance, understanding, freedom of speech, and religion. We have established offices of equity, human rights, and anti-racism by various names and clusters, depending on the size and shape of our institutions. They continue to adjust and adapt their policies, creating a respectful academic and workplace environment.

As necessary, when incidents do occur on campuses, often task forces are immediately established, and where appropriate they address issues and make suggestions for change over time. University and student-led groups, whose goal is to educate and promote tolerance and understanding, are numerous on our campuses and take varying positions on issues.

Ideally we are working toward promoting respect through understanding. Our awareness mandate is taken very seriously. You might be interested to know that over a third of our universities offer a Jewish studies program or boast some form of centre for Jewish studies or culture. Numerous workshops, programs, and lectures are held to promote education on various cultures in order to broaden understanding of the issues and the challenges that exist not just in society but in the microcosm of our university campuses. Sharing knowledge and promoting a peaceful and constructive dialogue is a positive path to eliminating all forms of racism and discrimination.

I want to give you just a few examples, although I don't necessarily know who has already come before you and who will come after, in terms of speaking to and addressing solutions.

York University has been in the news, of course, and has done much to address anti-Semitism on their campus. They established a presidential task force on student life, learning, and community that consulted widely with students, faculty, staff, and varying ethnicities and cultures. Their recommendations included the creation of a standing committee on campus dialogue to promote open discussion and debate on timely issues of global significance. Those examples are from York, but they have also carried on at other institutions.

● (1200)

York University has done much to address anti-Semitism on its campus. It has publicly condemned all incidents of anti-racism, and it has worked to create an atmosphere of developing mutual respect and dialogue. It has reinforced the student code of conduct when incidents have arisen and it has contacted local law enforcement to investigate. The university leadership has issued a joint statement on York's community values to stand against all those who would promote fear and distrust amongst members of that community, but many of these types of initiatives have also been put in place on other university campuses.

Multi-pronged solutions exist at Ryerson, and I think the president of Ryerson actually addressed your committee and gave you some very specific examples. Anti-racism task forces have been put in place to report and present recommendations to better address anti-Semitism and racism on campus. They have established various lecture series on their campuses, as have other institutions. They are forging partnerships with such organizations as the Mosaic Institute and the Canadian Centre for Diversity.

Sparked by Israeli Apartheid Week in 2008, McMaster University brought together leaders from various campus groups and university administration. Jewish, Israeli, and Muslim student and faculty organizations, faculty advisers, and human rights office representatives together established a viable initiative for constructive discussion. Out of that came the McMaster peace initiative. The initiative states that the university campus is a place that supports the free exchange of ideas, and that unbalanced or inflammatory language can create a chilled academic environment. It pointed that out very broadly in its community.

Participants had the right to express themselves clearly and stand for what they believed in, but they wanted to encourage doing so in the spirit of inclusiveness, respect, and academic integrity.

There have been many other examples on campuses. McMaster's peace initiative has been praised as a best practice by the Mosaic Institute, for example, and most agree that this initiative has led to more respectful dialogue between groups on campus.

The path is education at Carleton University as well, home to the Max and Tessie Zelikovitz Centre for Jewish Studies to support scholarship and education in the field of Jewish studies in history. The centre hosted a series of events and lectures during Holocaust Education Week in October of this past year, organized in cooperation with the Jewish Federation of Ottawa, to promote awareness and understanding.

I've used these examples to demonstrate that there is not only a great deal of action taking place on campuses but also a certain pride that steps are being taken to address anti-Semitism and all forms of discrimination on campuses, not simply in policies and practices but also through active education around tolerance and difference. There are conferences of various types, campaigns against racism and discrimination in support of equality of opportunity for all, and various initiatives such as intercultural weeks, anti-racism weeks, harassment prevention weeks, international world issues weeks, and forums of various types.

As well, numerous research centres have been set up on campuses to develop workshops and make education and public awareness much broader.

From one of the speakers today, you've also heard about vigils that have led to other types of protocols being developed on campuses. Clearly universities will continue to work collaboratively, and we at the Council of Ontario Universities will continue to work with our member institutions, to promote peaceful, productive dialogue on campuses in the context of fact- and evidence-based research as well.

Thank you very much for the opportunity.

● (1205)

The Chair: Thank you very much, Professor Patterson.

Now we will turn to the first round of questions. We'll start off with Joyce Murray.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Thank you for coming here to give us your experience on your university campus.

I have two questions. One is to Dr. Lightstone.

Everyone has talked about the important work of creating a culture of respect, human rights, and positive interactions amongst the student groups, and that seems to me to be foundational work that's very important. You talked about the criticism of Israel's policies being, in some cases, a cloak for remaining anti-Semitism, and you said that it's difficult to identify because some of it is genuine discourse on the human rights issues in that part of the world and Israel's policies. Do you have any advice to this committee as to how we can be constructive in terms of cutting the Gordian knot of connected elements?

With the chair's permission, I will have a second question as well.

Dr. Jack Lightstone: I think what you've just done is characterize the dilemma that you and the university share. It's as simple as that; it's a dilemma. As I said in my statement, you have to be careful that the cure is not worse than the disease.

Frankly, if an anti-Semite decides that he or she will express his or her anti-Semitism by vehement criticism of the Israeli government, there is nothing you can or should do to stop it. I don't see how you can. Does that make me happy? No. Does it make you happy? Probably not, but I think that's the type of society we live in. If people, no matter how nefarious their motives, engage in speech that is legal in Canada, there is nothing that you or I can or should do to stop it. That's just the reality of living in the democracy that we all share.

However, at Brock, as you've heard from my colleagues beside me, we have a number of very clear policies that have as their goal the maintenance of a respectful, harassment-free environment, free from discrimination, free from ad hominem attacks and so on, and where people are guaranteed security.

There is simply nothing you can do. We can't look into the soul of someone and say, "Your criticism of Israel is really based on your anti-Semitic sentiments." We can't do that as a people, as a government, or as a society, nor should we.

On the other hand, let me speak more personally than I would as a university president. Frankly, I don't know how easy it is to win a case in Canadian courts with respect to hate speech under the laws of Canada.

I had a very dubious privilege a number of years ago. I once got a phone call from the RCMP when I wasn't a university administrator. I was a professor then, which I still am. What they wanted to do was send me all the notebooks of Keegstra's students during the famous Keegstra trial, because there were allegations made by Keegstra that his students dutifully copied down hatred of other peoples in classical Judaic texts. That's my area, so they wanted to have an expert witness standing by.

I think it is very difficult to get a case under Canada's hate speech laws through the courts. We had a perfect example very recently of how difficult it is. Frankly, I think that's a societal disgrace.

•(1210)

The Chair: Thank you.

We'll hear from Mr. Case and then we'll have Ms. Murray ask a second question.

Mr. Patrick Case: This has indeed been a very difficult issue for us from time to time. The question arises when it comes to speakers coming onto campus who are invited by radical groups or individuals or whatever the case might be. The question that has come up for us is where to draw the line. We'll draw the line if in our judgment this speech is aimed at a people; if it is aimed at a group of people, if it has the potential to stereotype, or if it does stereotype, we'll draw the line. Otherwise, the speech should continue.

One of the concerns I have about broadening our definitions of anti-Semitism is that some of the elements on our campuses will be quick to challenge that. I understand that for those issues having to do with challenges and having to do with speech in this country, those challenges could well be successful, and if they are, far more damage will be done than can be imagined. Far more damage will be done.

The other thing that concerns me as well is that I'm having a hard time—we're having a hard time—determining the boundaries of this bar on criticism of Israel. My concern is that what could happen is that friends of Israel, allies of Jewish communities, could get scooped up in some redefinition, and thus, again, irreparable harm would be done.

Ms. Joyce Murray: The second question relates to the foundational work the universities do to promote an atmosphere of security, respect, inclusion, and so on. Each of the universities probably does some really great stuff and records the results from that, so there are probably some iterative improvements, but what I am wondering is if there is any systematic, ongoing process for the universities and colleges of Canada to share best practices in that regard so they can cherry-pick each other's great ideas that have been tested and proven.

•(1215)

Mr. Patrick Case: We actually have several online networks among people who do the human rights work that I do on campuses. Quite frankly, I can't even answer most of the e-mails that I get from various people on the networks. They have very active networks asking questions, coming up with solutions, sharing best practices, and so on. It is just constant. There is a Canada-wide network that is involved with that work, and there are actually two others in Ontario. So, yes.

The Chair: Thank you.

Professor Patterson.

Prof. Bonnie Patterson: I was going to say something very similar. In addition to the very active practitioner networks that exist, the council from time to time will bring together clusters of people working in this field and from time to time will bring together conferences and have not only a dialogue among the practitioners but look at the scholarship that is emerging in the field. Those are examples at the practitioner side, which is the sharing of good practices. The other side is what's happening in the literature. Both are important.

The Chair: Thank you.

We will turn over the questioning to Mr. Sweet.

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

Thank you all for attending today and for your input.

I will pick up on my colleague's line concerning the answer to her question that there is a network of best practices. I was just reading the Council of Ontario Universities' mandate; it says the COU "works with and on behalf of its members to meet public policy expectations of greater accountability".

In questioning in the past I have seen an inconsistency in reporting incidents of hate and racism on university campuses. I am wondering if part of this dialogue or part of the mandate is to encourage and develop a standard of reporting so that there are some baselines. The issue for us is trying to find out what is really happening concerning the growth of anti-Semitism, and without accurate reporting that is very difficult. Are there standards being developed?

Mr. Patrick Case: If I might just briefly respond before others speak on this, I don't think it would be possible to develop a standard approach to dealing with incidents on campus. It may seem completely ridiculous, but Guelph is 15 minutes away from Wilfrid Laurier University and 20 minutes away from University of Waterloo. Quite frankly, for a whole lot of purposes, we are as close to UBC as we are to Waterloo. You couldn't develop standard approaches among universities that are so uniquely different.

What this requires, if there are gaps in the way people would deal with things, is a much more concerted effort on the part of individual universities. But then we are talking about individual universities, and probably a few rather than a lot. I can tell you what happens on my campus: within 24 hours the targeted group is informed that there was an incident, and there are responses, at every level pretty much, to what goes on. I know that is the case on many other campuses.

The Chair: Professor Patterson, and then Dr. Lightstone.

Prof. Bonnie Patterson: We have, for example, brought together heads of our safety and security operations that exist on our campuses, and they have worked through the approaches they take to capture and reporting, their interfaces with the local police that are in the community in which each university exists and so on. In fact, Dr. Lightstone actually chaired one of our committees at one point that looked at particular practices of safety and security on our campus, particularly related to violence on our campus. We do this from time to time, but as to a single set of standards that are used for reporting the nature of incidents, I haven't seen any of those. The feedback we get from those practising in the field would be that we'd be very hard pressed to have a single cookie-cutter approach, because of the environment that exists on various campuses and in communities being quite different.

• (1220)

Mr. David Sweet: We will have to agree to disagree on this issue. If you're responsible for the safety and security of 5,000 or 10,000 or 15,000 or 25,000, or whatever the size the university is, I don't think it's too difficult to aggregate the incidents reported by security in terms of a student reporting on an incident with a professor, or a professor reporting an incident.

I don't think that's something that's too difficult. In fact, police services across the country do it. You might have some other sophisticated circumstances, but I think the simplicity of at least what comes to the administration and faculty and security departments could easily be aggregated and reported.

Mr. Mendelson, I wanted to ask you a question. You gave a good example of—

The Chair: Sorry, Mr. Sweet. I think Dr. Lightstone wanted to say a few words. Then we'll get to your next question.

Dr. Lightstone.

Dr. Jack Lightstone: Thank you.

Dr. Patterson has already said some of the things I would have said.

I don't know the feasibility or not of doing what you ask, but I do caution you to do one thing, and that is to not focus on anti-Semitism solely. That would be a grave error, in my view, for many reasons.

In fact, part of my advice to the committee is that you not focus on anti-Semitism per se. You have to broaden this to other forms of discrimination and harassment. Otherwise, I think you will be doing Canada—and us, by the way—a disservice.

Mr. David Sweet: Thank you.

You will notice in the transcript, after it's printed, that I mentioned race and hate incidents.

Mr. Mendelson, you mentioned a life incident that happened, and how you approached it in your article; I commend you for that.

I want to know about an incident that happened where 26 professors signed a declaration on boycotting Israel academic institutions.

Did that happen? And did you address that in the same way as you did the life incident?

Dr. Morton Mendelson: You are referring to 26 McGill professors who happened to—

Mr. David Sweet: That's the data I have in front of me. That's why I'm asking you if that is correct.

How did you address that?

Dr. Morton Mendelson: I don't know specifically about whether or not there were 26 McGill professors who signed a petition, but it wouldn't surprise me. There is a wide range of political views on our campuses.

I do know that our principal, Dr. Heather Munroe-Blum, came out with a very clear statement, at the time when there were calls for a boycott, decrying such calls. This was a boycott of academics in Israel, so she was decrying the fact that there would be anything in place that would limit discussion, limit conversation, limit academic discourse.

If you're speaking about the calls for a general boycott of Israel, we have not yet, as a university, made a public statement about that.

The university is necessarily politically neutral. A call for a boycott of Israel, whatever one person may feel about it, is a legitimate issue for discussion. It's a legitimate action for discussion. The university would not come out with a statement against a general boycott, but did in fact come out with a general statement against an academic boycott of Israel.

I'm not sure if that answers your question.

The Chair: Thank you.

Do we have any further questions?

I don't think we have any further questions.

I want to thank the witnesses for being here this morning; it's the afternoon now.

We'd like to take a five-minute break so that we can move to the second panel.

Thank you very much for being here. Thank you for your presentations.

Mr. Case, did you want to make a statement?

Mr. Patrick Case: I would just say, about the last question, that our existing provincial human rights legislation is adequate to deal with attempted bars on academics. It's place of origin discrimination, and it's in all of our human rights legislation. That's what I invoked in response to a threatened boycott of academics.

We don't need anything more. We need to enforce what we have.

•(1225)

The Chair: Thank you very much.

We'll have a five-minute break.

• _____ (Pause) _____

•

•(1235)

The Chair: Ladies and gentlemen, we'd like to start the meeting. Could members and witnesses please take their seats?

Thank you very much.

We will now start the second half of our presentation. We have with us four witnesses. Dr. Gerald Gerbrandt is president of Canadian Mennonite University.

[*Translation*]

Next we have Mr. Michel Lamontagne, Special Advisor for Institutional Relations, Université de Montréal.

[*English*]

We have Professor Marilou McPhedran, Principal, Global College, at the University of Winnipeg, and finally, the Honourable Stephen Owen, Vice-President of External, Legal and Community Relations, University of British Columbia.

We will start with Dr. Gerbrandt.

Thank you for being here.

Dr. Gerald Gerbrandt (President, Canadian Mennonite University): Mr. Chair, thank you. I have a prepared speech.

I am pleased to have the opportunity to address the Canadian Parliamentary Coalition to Combat Antisemitism. This is an important agenda for Canada and its universities.

Canadian Mennonite University, CMU, is a university and as such, through research and teaching, strives towards a better understanding of our world, not merely in a neutral, detached way,

but with the goal that we humans will live together more productively and cooperatively in that world. Working to eradicate anti-Semitism fits well within that mandate.

CMU is different from most other universities in Canada in that we are self-consciously a Christian university, established and supported by the Mennonite community. This identity intersects with the question of anti-Semitism in multiple ways. As a Christian university, we have a natural connection or affinity with Judaism. Although Christianity and Judaism separated from each other some 17 to 19 centuries ago, we do remember our roots. In fact, one of our most recent lecture series brought in a prominent Jewish theologian, Dr. Peter Ochs from the University of Virginia, to discuss the question of whether this schism between Judaism and Christianity was inherently necessary or whether it was an unfortunate accident of history. Our Christian identity thus highlights our close relationship to Judaism. One might say we are brothers and sisters who worship the same God.

At the same time, our Christian identity brings with it a sad and reprehensible tradition of anti-Semitism. I do not need to say much about that ugly story in this setting, a story that goes back centuries but reached a horrific climax in the past century. Western society generally, and Christian people in particular, thus cannot speak about anti-Semitism without at the same time being aware of this dark side of our story.

CMU is not simply a generic Christian university. As reflected by our name, we're a Mennonite university and continue to be influenced by that tradition. The way we approach the question of anti-Semitism thus is influenced by that tradition, with its emphasis on peace, justice, and service.

Recently CMU went through a lengthy process of developing a vision statement, the kind of process many organizations go through at some point. In that vision statement we identified four commitments that give character to the CMU educational mandate. These were the following: educating for peace and justice; learning through thinking and doing; generous hospitality and radical dialogue; and modelling an invitational community. Especially the first and the third are relevant in this conversation. We have a passion for peace and justice, two themes that we see as integrally joined together with neither being the pre-condition for the other, or, perhaps more accurately, with both being the pre-condition of the other.

Let me briefly identify some programs in which there are efforts to make this commitment concrete. Our largest academic program is one in peace and conflict studies, a program offered both through Menno Simmons College, our program affiliated with the University of Winnipeg, and at our Shaftesbury campus, where we offer our own degrees. Not only is this our largest program, it is the largest such program in Canada, and it may very well be the largest in the world, with approximately 800 students taking courses in it and well over 100 students majoring in it. In this program we study models of interpersonal conflict resolution as well as areas of conflict around the world. We offer courses in human rights. We teach, analyze, and investigate structures and practices of oppression and injustice in as objective and academic a manner as possible. We anticipate shortly contributing to a master's in peace and conflict studies jointly offered by the University of Winnipeg and the University of Manitoba, and we trust we'll work with the Global College on that.

Canada's only academic journal in peacemaking, called *Peace Research*, is based at Menno Simmons College, with our faculty making significant research contributions in the area.

• (1240)

A few years ago we established a community school of peacebuilding, an institute that has worked creatively at peacebuilding ventures.

A recent initiative involved bringing together a group of young adults from three distinct backgrounds: first nations, recent immigrants to Canada, and more established Canadians. During their time together, they came to understand and appreciate the differences among themselves, with a goal of developing mutual respect.

This past year we inaugurated the Canadian School of Peacebuilding. This coming summer we will be offering seven courses in this school, including a course taught by Ovide Mercredi on "A Cree Perspective on Non-violence" and one by Mark Gopin on "Agents of Change in Intractable Conflicts: Lessons from Middle East Peacebuilding". These last two highlight a significant aspect of our approach. A powerful way of teaching about the evils of racism in our society is to model inclusiveness and to give voice to diverse racial groups.

As I'm sure is recognized by all here, the commitment to generous hospitality and radical dialogue is easier said than done, and further, that although theoretically most universities would quickly affirm it, they would also recognize the complexity and risks in implementing it.

Within the past two years or so we've had a few prominent Jewish speakers on campus, including Norman Finkelstein, who, not surprisingly, was not appreciated by all, and Amos Guiora, who had been recommended to us by the Jewish Federation of Winnipeg. Recently, we have been involved in structured dialogue with some Iranian Muslim clerics about peace and justice and how these two themes relate to each other. As a way of raising sensitivity within our student body to the issues, this spring we will once again have a group of students visit Israel and Palestine, listening to speakers from multiple viewpoints.

It is recognized that a risk in raising a more sensitive or complex agenda is that individuals may attempt to use these occasions for promoting highly ideological positions, but understanding can only come through tackling difficult issues.

I trust I have not shared these efforts and programs simply as a way of singing our own praises. I am aware of our weaknesses probably better than anyone. I also recognize that they do not prove that there is no anti-Semitism at CMU. Rather, they highlight that CMU is committed to working at peace and justice and human rights issues, and they point to what we consider to be the most effective strategy in this endeavour, namely, the fostering of a larger climate and ethos within the institution, and within Canadian society, which respects the rights and dignity of all people, regardless of race, religion, and social class.

Anti-Semitism is a particular form of racism and discrimination, one that, sadly, has a long history, especially within Christianity, and more recently it appears to be becoming more prominent in Canadian society. As identified by the coalition's mission statement, it is unquestionably opposed to the multicultural identity of Canada and to the Canadian values of human rights and human dignity.

As a Christian community, given our history, we have an increased responsibility to work against anti-Semitism. CMU condemns anti-Semitism and is committed to promoting a peace and justice that undermines any such tendency. With our location in Winnipeg, we anticipate having the wonderful opportunity of working together with the Canadian Museum for Human Rights in this never-ending endeavour. I do look forward to cooperation with the museum on this agenda.

Thank you.

• (1245)

The Chair: Thank you very much, Dr. Gerbrandt. You actually timed your speech perfectly; it was under 10 minutes.

We'll now go to Michel Lamontagne.

[*Translation*]

Mr. Michel Lamontagne (Special Advisory for Institutional Relations, Université de Montréal): Good morning. Thank you for seeing us this morning. I have submitted a paper and I will try to share the essence of the text with you. I will keep my introduction and conclusion brief in order to answer some of your questions.

First, I would like to put this into context. The Université de Montréal has 55,000 students and 10,000 employees. In all modesty, I can say that it is ranked among the 100 best universities in the world. Ten percent of our students are from outside Canada, coming from 187 countries. Our total budget is \$1.2 billion, half from operating grants and half from research grants.

What tools does the Université de Montréal have? You can see them in my submission, but I will go over them briefly. First, there is the policy on adapting to cultural diversity. I will list some of the principles in this policy, which, to a certain degree, is a cornerstone. On the disciplinary level, we have regulations governing the teaching staff and students. There are also regulations governing the function and status of our ombudsman. So, we have accountability on the one hand and transparency on the other.

Before talking about the values in this policy, I will give some examples. Some of the activities that are included in my paper are worth mentioning. For example, the cultural diversity award has a high profile on campus, and we also have the Intercultural Week. I am mentioning the Intercultural Week because it reflects how the university administration rolls up its sleeves and shows its commitment to the values in the policy on adapting to cultural diversity.

As an institution of higher learning and a key cultural player in a pluralist society located in the metropolitan region, at the heart of Quebec's cultural plurality, the Université de Montréal invites members of its community to share a concept of citizenship that values active and informed participation by all citizens. As an educational community, the university wants its members to be aware of their social responsibilities and reminds them that debate is the backbone of democratic life. It wants to make them aware of difference, and of the importance of rejecting discriminatory or racist attitudes, and it seeks to develop informed socialization and active participation in public debates within the framework of a democratic society. All this is based on a number of principles.

I will now list the three main principles. The Université de Montréal is a French-language educational and research institution operating within a democratic society founded on the respect for human rights. The university promotes discussion on an intellectual level, and encourages its participants to contribute to public debates on all aspects of the policy on adapting to cultural diversity. My submission provides more information, but these principles are adaptation to pluralism, a campaign against racism and discrimination, equality of opportunity for all and review of the curriculum, which is very important.

To sum up, there are four cornerstones. First, there is vigilance, which is a key element. We must also be able to communicate our values proactively. In this regard, the policies, regulations and activities that I mentioned do the job. On the other hand, we can go a step farther by cultivating leadership from within. It is all very well to have documents and an ombudsman who can take care of complaints, but we must also produce leaders. And that is what we do. Moreover, I am not only talking about leaders from within but also leaders who shine outside the university and bear witness within. Finally, we emphasize the importance of education and we include in our university courses the values expressed in the policy on adapting to cultural diversity.

Thank you.

•(1250)

The Chair: Thank you for your statement.

I will now give the floor to Ms. Marilou McPhedran.

[*English*]

Prof. Marilou McPhedran (Principal, Global College, University of Winnipeg): Co-chairs Silva and Scott, thank you very much for the invitation from the entire parliamentary coalition.

Honourable parliamentarians who are with us today, I bring greetings from the University of Winnipeg president, Lloyd Axworthy, thanking you for the invitation and the opportunity.

I had a chance to quickly view the biographical sketch that was shared with you. I wanted to add one point about my remarks today.

When I accepted the position as the principal of Global College at University of Winnipeg, I resigned as the chief commissioner for human rights in the province of Saskatchewan in order to take that position. I also for a time served on the Canadian Human Rights Tribunal as a part-time member of that adjudicative body.

In my remarks today, I want to briefly sketch the way in which in recent times at the university, since I have been there—a little over a year—I have seen the approach to issues that raise human rights concerns and, in particular, issues and actions around anti-Semitism.

I want to also situate this. Global College is the home of western Canada's first human rights degree at the undergraduate level. We just launched it this year. We have our first students in the degree program. It has been very interesting to me, because most of my teaching has been with more senior students and with law students. Now I'm working with entry-level, first-year, second-year students as we build this new human rights degree program.

We had an incident not that long ago, just a number of months ago, at the University of Winnipeg. It involved some posters that went up announcing a panel discussion that referenced the anti-apartheid theme. But when we looked at the posters more closely, it actually wasn't obvious who was hosting or organizing that panel.

What I can say to you, though, is that within the same day that the posters went up, the president of our university called together the senior executive administrators of the university. Very quickly there were two standard procedures that were agreed to that also influenced the kind of messaging that we then went on to try to give. The first was that responsiveness to this kind of announcement on our campus must come, and would always come, from the highest level of leadership. There was a commitment for rapid response. Second, the responses would be considered and framed always within the larger context of a human rights framework, acknowledging and respecting that Canada is a constitutional democracy, and that, within our constitution, freedom of expression is one of the freedoms and rights articulated in our Canadian Charter of Rights and Freedoms.

To go back to the specific example, the president called together the senior executive administrators. A decision was made to immediately engage in dialogue with our student leaders to try to determine the source of this poster, the source of this event. It transpired that it was not something that the student association was sponsoring. Some individuals connected with the student association had affiliations, and had stepped forward to co-host this event.

We went through a process of discussion about what was intended and why the title was used in the poster. What happened was that there were some modifications. I can't say to you that all of the posters went down, but I can say to you that the event did proceed. The overall tenor of the event was one of allowing people to speak about a range of concerns.

I was certainly there. I was joined by four other colleagues from the senior administration. Our president was out of town on the occasion. Prior to that, we had another discussion with the organizers, and made sure they knew that we were there. It was quite a well-attended evening.

The actual panel discussion that transpired ended up not crossing the line that we were very concerned about. Statements were made. Strong opinions were given. Strong discussion, open discussion, occurred. We stayed to the end of the event.

•(1255)

By contrast, we went on later to have an open public event that was partially sponsored by Global College. It was also done with a community-based organization in Winnipeg known as Mosaic, which is an organization of volunteers and various forms of leadership and involvement within the larger community, from a number of different religious faiths. They made the decision that they wanted to hold a round table discussion at the university. They called it “The Audacity of Conversation”.

The emphasis was on creating a respectful and safe place for challenging and difficult dialogue. In particular, it focused on issues around the relations between Israel and Palestine. A number of us who were deans within the university supported this dialogue taking place. A number of us, including our dean of theology at the University of Winnipeg, issued personal invitations to religious leaders from other faiths within the city to join us and/or to send representatives.

That particular evening, a statement was made that a number of the leaders of the Jewish community and their organizations did not feel that they had been given adequate notice of the invitation. The follow-up that took place was primarily between our dean of theology and the individual leaders whom he had invited personally.

However, what happened on the evening itself was that the room was absolutely packed. It held about a hundred people. The format was not unlike the physical set-up of this room, except that there was a round table with a microphone. The members of Mosaic, who were really the primary hosts of this evening as a university-community partnership, sat around the rest of the table. People came to the table, much as I have here, said what they wanted to say within an agreed upon period of time, and then left the table. Then the next person came to the table.

At various points throughout that evening, there were breaks allowing for discussion and feedback. We heard from Jewish students, Muslim students, and aboriginal students. We heard from a range of people from the community and from some members of the faculty of the university. It was not a comfortable evening, but points of view were expressed, some highly divergent from others. It was facilitated by two members of Mosaic, one Muslim, one Christian.

At the end of that evening, part of what became clear to us was that it's equally important to communicate beyond the borders of the university when an event is being held within the university and is open to the public. From this, one of the things we have resolved is to do more follow-up when we issue invitations to the larger community.

Let me close by observing something about the students we're now seeing. For many of the students we are now teaching, but not all, when they hear the term “genocide”, they think of Rwanda and Bosnia much more often than they think about the Nazi perpetrators of the Holocaust of World War II.

Also, as I find in this first-year human rights degree program that I'm teaching—and also when I was teaching law students—they have a very high level of interest in world-style government, including the model of the United Nations, with a lot of criticisms and concerns about the United Nations. But almost to a student, they do not appreciate that it was indeed the Holocaust of World War II that was primarily against Jews but also included homosexuals, Roma, and persons with disabilities.

•(1300)

That Holocaust had such an important role to play in raising the consciousness of world leaders around the founding of the United Nations. So as we in Winnipeg look to the first national museum to open outside of Ottawa, the Canadian Museum for Human Rights, we are aware of the fact that there are very strong differences of opinion about the extent to which the Holocaust of World War II should form part of the core programming within this new national museum. It is certainly our position at the University of Winnipeg that it needs to be part of the programming of the new museum.

Let me close by quoting Hannah Arendt, who herself escaped the Holocaust and had a tremendous influence on both Roosevelts, with Eleanor Roosevelt being the one most closely involved in the founding of the United Nations. Of her extensive writing, the quote of Arendt that we use at Global College all the time with our students is that we are most human when we are in dialogue. Putting this within a larger framework of human rights, this really is the essence of freedom of expression and the mutual respect that has to come to any presentation that occurs on a university campus.

Thank you very much.

The Chair: Thank you.

Our last witness is the Honourable Stephen Owen.

Hon. Stephen Owen (Vice-President, External, Legal and Community Relations, University of British Columbia): Thank you very much, Chair, for inviting me here today.

It's very nice to be with my member of Parliament as well, who is the member of Parliament for the University of British Columbia, and also with Scott Reid and Anita Neville, two other members of the illustrious class of 2000, who were all voted to this wonderful place together.

I've listened very carefully to all of the other speakers and really enjoyed it. I thought there was a wide range of really important points made and I thank you for giving all of us the opportunity to comment on this subject. I think I'd like to start by speaking very broadly and then I'll talk a little more specifically about it without repeating everything that's been said, all of which I think I agree with.

I think democracy is a balance between security and freedom. If you're completely free, you're probably living in anarchy, and if you're completely secure, you're probably living in prison. It's a balance. That, I think, is the balancing act we're going through here in Parliament and in our respective institutions.

Unlimited free speech can be anarchic. If it's so free that we bear no responsibility for the subjects of whom we're talking in terms of their own security and their own feelings, then that's going too far. Our society recognizes that in our criminal laws, our human rights laws, and our various codes, certainly at universities. But as well, if we're so secure that nobody can say anything to insult us or that might offend us, then we're just frozen. We're in prison.

So finding that balance is a challenge for Parliament, as it is around difficult issues like same-sex marriage, the security legislation after September 11, 2001, or pro-choice and pro-life discussions. These are difficult issues, and we must have the freedom to address each other respectfully, meaningfully, and in tough ways about them, because there are no easy answers.

At the University of British Columbia, we have a number of instruments that assist with this. We don't have parliamentary privilege, but we do have a number of offices, as do other universities. We have equity offices, an ombudsman's office, a vice-president's office for students, and my vice-president's office for legal and community issues that relate to crossing the line in a legal way, whether it's defamation or criminal incitement of hatred. We have these stabilizers in our universities.

Of the two incidents in the last year that have highlighted anti-Semitism, one is the Israeli Apartheid Week last March, which I think sprung up on most campuses across the country and caused us, I hope, to think more carefully about how we approach, how we measure, and how we deal with tough, tough speech and tough demonstrations. At the University of British Columbia, my office and the office of the vice-president of students had single meetings with Hillel and the Israel Awareness Club, a student club, and with the Muslim Students Association and SPHR.

The Israeli and Muslim students—and they went in various variations—were not willing during that raw time to actually meet together, although we were trying to host joint meetings, but there was some good bilateral discussion with the administration as to what respectful dialogue means, where the lines start to be crossed, and where the freedom to speak may affect negatively someone's security. It might be physical security or it might be the security of their identity. It might be the chill that can inhibit free speech and academic freedom, which is just a death knell for universities.

At least there wasn't as much of a negative discussion on campus as there was on some other campuses across the country, but we really didn't get together and take apart those tough issues.

• (1305)

This fall, in November, when a checkpoint was set up in student union buildings on many campuses, and certainly on the Vancouver campus of UBC, the search to try to get common ground between those different points of view on this difficult issue really was around the security issue. While an open debate was not possible, there was a common understanding that the issue, both for the pro-Palestinian

students and for the pro-Israel students, was that they were feeling insecure over the attention that was being given to it and the people who might not be part of the leadership of the student clubs.

Everyone felt insecure. In working with campus security, the equity office, and the ombudsman office, they were able to hold a demonstration that was very meaningful, to give out pamphlets with points of view on both sides, and to actually, as a university, engage in something that I think everybody learned from.

The University of British Columbia is also 55,000-plus, but unlike the Université de Montréal, we have only a \$1.8 billion budget, not a \$2.1 billion budget. One of my first tasks on returning will be to look a little further into that.

Voices: Oh, oh!

Hon. Stephen Owen: But it's an interesting campus, and it's as diverse as any in the country. Over 50% of the students at the University of British Columbia are of Asian descent. They may be third or fourth generation, but it's a striking aspect of the UBC campus that it's an Asian and an Asia-Pacific campus; it's not a Caucasian campus by any means.

I think this exposure to difference, even in such a superficial way as ethnic difference, has created an awareness and a protection, a feeling of needing to protect on the part of the student body, faculty, and staff, and a feeling that there's something very special happening there about respectful dialogue. I think it has come out and is coming forward in these difficult issues around anti-Semitism.

When Irwin Cotler and I were on the justice committee in 2001 and were debating in this room Bill C-36, the security legislation, that was a really tough time, with tough issues. One of the issues that was very dramatically felt and seen across the country was stereotyping of Muslims—a negative stereotyping.

During that debate, we were all holding town hall meetings across the country. I held one at a mosque in the Vancouver area. A gentleman got up to address this open discussion. He was an airline pilot with Air Canada. His name was Mohammed. He said, "You know, after September 11, when I came on to give my welcome to the passengers on the plane, I was asked by the administration not to say my name, to withhold saying that I was Captain Mohammed, because that might frighten people". He said that the shame, the insult, and the hurt he felt from that wasn't a physical safety security issue, but boy, that went right to the heart of who he was, and frankly to who we are as a country, as well as to the heart of our universities.

Let me finish, Mr. Chair, with something that is a little different from what we've talked about, so as not to repeat. There is an extraordinary group in British Columbia, in Vancouver, called Peace it Together, or peaceittogether.ca, if you want to look it up. Peace it Together was started by a young Jewish woman from Montreal and a young Palestinian Canadian from Vancouver, in Vancouver, to recruit senior high-school students from Israel, Palestine, and Canada.

They've now run two summer sessions of Peace it Together. They take ten Palestinians, ten Israelis, and ten Canadian youths, 16 or 17 years old, to a peace camp in Vancouver, for peace studies, and then they make films with professional filmmakers, films that go right to the heart of the Middle East issues of the these young kids, these boys and girls from these different backgrounds.

• (1310)

If you have a chance to see these films, you can get them through their website. They come to grips with love across communities in conflict, humiliation at the border, and youth suicide bombing. They get right into those issues and take them apart. For any of our universities and any community, if you can have them jointly present these films, it's youth talking to society in a very, very potent way.

Just to finish, I went to Israel and Palestine in October to see if we could change the program, support the program, and make it more sustainable by having three universities involved. The proposition is that the University of British Columbia would host summer students, that Al-Quds Open University in Ramallah would identify ten Palestinian students, and Bethlehem University—I visited them as well—and the Hebrew University of Jerusalem would identify the other ten.

We would have the students live in residence during a month in the summer, and we'd actually have our film school and graduate students help them produce the films. But most importantly, rather than choosing high-school students who would have this life-changing experience and go back to their own lives and to the four winds, the students would actually be chosen from these universities after first year, so that they would go back to their own universities, have their own cohorts at the universities for the next three years, and have a growing network year after year amongst the other universities.

Because of the boycott of Israeli universities now, it's difficult for Palestinian universities to deal with that. What we're talking about is maybe two bilaterals with the University of British Columbia, if that could remove this barrier, but I met with five peace institutes in the Middle East: Peres in Tel Aviv; Gilo and Truman in Jerusalem; IPCRI, the Israel/Palestine Center for Research and Information, the very respected joint Israeli-Palestinian think tank; and also the Peace Research Institute in the Middle East, PRIME.

There's a tremendous thirst in those communities for new ways to look at this. I think that institutions of higher education are prime places where we can have a positive effect through free inquiry, respectful dialogue, and research—and also, given the international nature of our student bodies and our scholarship.

I'll finish with a quote from H.G. Wells in his treatise on history. He said, "History is a race between education and catastrophe". I know that all of our institutions are taking part in one way or another in that race, and I thank you for inviting us to speak to you.

• (1315)

The Chair: Thank you.

We'll start the first round with Dr. Carolyn Bennett.

Hon. Carolyn Bennett (St. Paul's, Lib.): As we struggle with these issues, we would love some help. If you got to write one of the

recommendations in our report, what would it be? Maybe each of you could just tell us what we could recommend in terms of what the government could do, whether that's bursary scholarships or resources. Are there things that could be enhanced in research in your institutions? In academe, how can we help?

[Translation]

Mr. Michel Lamontagne: The challenge is not only to educate, but also to create leaders,

[English]

to foster leaders among our staff and among our teachers.

[Translation]

And I believe that, as these leaders are becoming more international and more known, they will shine both inside and outside the community. It is a bit simplistic, but if I were to make a suggestion... It is a constant challenge and we are trying to apply it at the Université de Montréal, but the job is never done.

[English]

Prof. Marilou McPhedran: I would echo that, and I would add to it something specific in our experience at the University of Winnipeg. President Axworthy recently released a paper called *Community Learning*, and we've established a new directorship of community learning at the University of Winnipeg. Our emphasis in many ways is on taking the academy to the community and bringing the community to the academy.

I would say, in answer to the question about recommendations, that we are seeing in the models of this kind of partnering a mutual respect for expertise that might not be academic expertise but is nevertheless recognized and treated as important for building meaningful learning programs. The service of academics is also important to the larger community, as is, for example, the whole tenure review process in order to strongly encourage and support that kind of application of knowledge and engagement with the larger community. We've had both the Vancouver model and the Winnipeg model of peace camp. There has been very strong outreach among more disadvantaged populations, groupings of young people within the community at large, to make sure that they're being given the opportunity to participate fully in the peace camps.

Within the larger human rights framework, the understanding of freedom of expression cannot mean that some are free to speak and dominate while others are silent, because that represents a very selective kind of freedom. We have to start with those at the younger ages and not wait until they get to university or have them think that it's only at that stage that universities should be responding and participating.

•(1320)

Dr. Gerald Gerbrandt: I would attempt to distinguish between what an institution allows and what it fosters. Similarly, for a committee like this, I would wish that there would be ways of encouraging increased programming of this sort that works towards the teaching, the nurturing, and the appreciation of respect for each other, for everyone regardless of their background. So the kinds of things that Global College is doing and the programming through the Museum for Human Rights—and obviously I'm speaking out of the Winnipeg context about some of the programming we are doing—are the kinds of initiatives that over the long run have more potential to be effective.

The Chair: Stephen, do you have something to add?

Hon. Stephen Owen: I agree with what's been said. I think that most importantly, from a university's point of view we have to go beyond simply creating intellectual capital and use that privileged position to build social capital in our communities. I think that's what Marilou was saying.

From a federal government point of view and within your report, I would hope that you might consider carefully having a cabinet position for higher education. I think that idea gets attention from time to time, but higher education in our country could really benefit from the creation of a central office and a cabinet position. I think all of us, from across every interest in society and certainly from every political party, recognize the importance of innovation, the importance of social capital, and the importance of these institutions of higher learning to promote our society. The mission statement of the University of British Columbia includes the notion that we should be promoting a civil and sustainable society, and that we should prepare our students to be exceptional global citizens. I think that's a role the federal government, despite constitutional difficulties or sensitivities, could more strongly play.

The Chair: Thank you.

Mr. Poilievre.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Thank you for being here.

In our discussions today we have focused on some of the virulent criticisms and harsh language unfairly directed at the state of Israel. At times this language can be used as a cover for anti-Semitism.

Some witnesses today have said that we cannot stifle this expression, regardless of how repugnant we may find it to be, because we are, in the view of these witnesses, a free society, open to free discourse. My concern is that often these same far left groups who are using the cover of free speech to espouse these views are themselves stifling the free speech of others. I think, for example, of the violent outburst at Concordia University that shut down the visit of now Israeli Prime Minister Benjamin Netanyahu.

I'm wondering what steps universities are taking to ensure that violent outbursts of this kind, including those from the far left, but from all groups, no longer be permitted to stifle free speech on campuses.

•(1325)

The Chair: I think that's addressed to the panel.

Whoever wants to respond...

Hon. Stephen Owen: I'll jump in first, if I may.

I think you're absolutely right. A university has a solemn responsibility to ensure that there is free speech. There are lines that can't be crossed, either in incitement of hatred or in the physical security of people, where university administrations may have to act.

There's a really interesting aspect, to me, and a vital one, to the sincere concern that criticism of the government of Israel is really a cover for anti-Semitism. I think that's true; I think it happens, and I think we have to be very careful about it. There is another concern we should also properly have, though, and that is that the threat of being considered to be anti-Semitic restricts people from criticizing the government of Israel as they would any other government around the world in difficult situations.

I just think of the recent report of Judge Richard Goldstone on the Gaza incursions. This person, among the top ten jurists in the world, throughout his life has been a Zionist. He reported in an objective way that had some hard truths in it and some hard questions. To see a person of that stature and that background criticized as being anti-Israel and therefore, by extension, perhaps anti-Semitic—we have to be really careful on both sides of this delicate issue. That's why this debate is so critical.

The Chair: Does anybody wish to comment on that further?

Mr. Poilievre.

Mr. Pierre Poilievre: I'm speaking in particular about these instances when radical groups use noise, shouting, aggressive pushing to simply drown out and intimidate speech on campus that they don't want to be heard. We heard an example earlier today from one of the witnesses from the universities. It was on an unrelated subject matter, but again, a very loud group was able to shout down a discussion so that it could not even occur.

I know that these sorts of things do happen on university campuses. What does the administration do to ensure that they are not successful in stifling the free speech of other people?

Prof. Marilou McPhedran: At the University of Winnipeg we actually haven't had to deal with something as extreme as what you've described. However, in preparation for such an event, for most university leaders there is the simple fact that there is control over university property. There is a practical concern regarding who comes and who goes, to the extent that the borders can be contained. In many universities they can't be, but given the actual occupation of university buildings or presence of people within them, the university has the legal authority to ask people to leave and to make clear which activities within the property are not condoned and cannot be allowed.

The security issues that are triggered by a potential scenario like that are not only challenging but also present for university administration the whole question of how to deal with a situation like that while respecting the civil rights of people who are on university property and how to do it within a human rights framework, which needs to allow freedom of expression that does not amount to hate speech. Having a sufficient university administration presence on the part of security, etc., becomes a very practical issue. I suspect, coming from a smaller university with 9,000-plus students in the inner city of Winnipeg, that the kinds of security concerns we would be addressing would be quite different from those of larger universities.

In any event, it has been clearly articulated that the leadership needs to come from the highest level within the university and that no situation that could potentially move to hate speech should be ignored or allowed to happen or left to a wait-and-see approach. There needs to be a rapid response strategy in place, and there needs to be a readiness to use the resources within the university to maintain an environment that is respectful of freedom of expression.

The whole notion that students within universities should learn to be global citizens and should use, as we try to, the peace and conflict resolution model within the human rights framework places much more emphasis on having every member of faculty and every student within the university incorporate those values in how they conduct themselves. In situations where it becomes clear that much of the organizing that is leading to this kind of breakdown in civility is coming from sources external to the student body or the university at large, then that too has to be identified and responded to by the highest level of leadership within the university.

● (1330)

The Chair: Mr. Poilievre wants to share his time with Mr. Sweet.

You have about a minute and a half.

Mr. David Sweet: I have a question on this. You mentioned taking the initiative when you suspect something is going to come. You mentioned hate speech. My colleague was actually talking more about not allowing speech to happen on both sides of the argument.

I don't want to pin you down to one action, but with regard to loud groups who use aggression to shout down other people's ideas, if you were aware that their organizations were going to bus people into campus, would you go so far as to advise them that such action would be trespassing on the university, and would you take appropriate legal action in that regard to make sure the issue didn't escalate out of control?

Prof. Marilou McPhedran: In the one incident I mentioned, the first example I gave in my remarks, that was exactly the position of our president, the senior administration, and the head of our security, to the extent that it was possible.

Mr. David Sweet: Thank you.

The Chair: Mr. Owen.

Hon. Stephen Owen: We're actually just preparing to deal with this very issue, because UBC is one of the venues of the Olympic and Paralympic Games, and we're going to have thousands and thousands of external visitors, some of whom, it's fair to say, are not in favour of the Olympic Games. So we're looking at the whole issue

of freedom of speech and the right to assembly and respectful dialogue, but we have to look very carefully at lines that are crossed.

It's a tough issue, and far outside this topic. When Mr. Poilievre was describing the behaviour and you wondered whether universities might try to put a stop to it, and since it is almost two o'clock, I was reminded of question period, although I haven't been doing that for the last couple of years.

A more serious note on that is parliamentary privilege. It's an issue that's been slightly touched upon by the courts, but they really have not gone very far. I shouldn't turn this around, but in a situation of parliamentary privilege, in question period not only can someone defame a fellow MP, but the MPs can argue back and speak back. The Speaker has some control over it, but you can instantly libel someone right across the country because of instant broadcasts.

So whether parliamentary privilege needs to be somewhat constrained is a really important question—and it will come up in the anti-Semitic issue as well—given the age of communication, and whether it can be quite as absolute as it was before.

● (1335)

The Chair: Thank you very much.

Ms. Murray.

Ms. Joyce Murray: Thank you for your testimony.

A fundamental question that we started out with at the beginning of this panel was trying to understand incidents of anti-Semitic violence, harassment, and intimidation on campuses and elsewhere, and whether they have been on the increase over the last five years.

Are you able to track those incidents? Has the number of them been increasing or levelling? Is it stable? Is the number decreasing? Also, what kind of association is there with the annual week or other activities of Israel anti-apartheid on campus?

That's kind of a big question, but can you give us a snapshot of what is happening at your university? Is this a growing problem, or not, in your view?

[*Translation*]

Mr. Michel Lamontagne: In the case of the Université de Montréal, I obviously looked at the various questions before coming here to see if there was anything I had not heard about. Honestly, there have not been any incidents for a long time at the Université de Montréal, but that does not mean we should stop being vigilant. I really want you to understand that.

We must also remember the massacre that took place 20 years ago at the École polytechnique. That came as a great shock to the Université de Montréal since the École polytechnique and HEC are part of our institution. We have not had many incidents, but I feel that we must not let our guard down.

[*English*]

The Chair: Would anyone else like to comment on that?

Hon. Stephen Owen: I'd just say, from the position of another very large university at which there's such diversity, that this issue does not seem to have captured, in an increasing way in frequency or volume, the large student body at the university. There's such diversity that although it has received very direct attention, it has not involved large numbers of students; the number involved has been relatively small.

The Chair: Professor McPhedran.

Prof. Marilou McPhedran: I think I would answer that somewhat differently. The approach we've taken is to look not primarily at an increase or a decrease but at the existence of it or any incident of it. We treat any potential incident of racism, of human rights violation, as making it impossible to respect freedom of expression within the limitations that we as Canadians have placed on that notion in order for there to truly be freedom. So any potential incident is treated as a priority, regardless of whether there seems to be a trend one way or the other.

Ms. Joyce Murray: Is there a trend one way or another?

I appreciate that this is a good way to do it, as any incident is one too many. Still, for the purposes of the committee, it would be useful to know if there's a trend.

Prof. Marilou McPhedran: I don't think we've noted one way or the other. It's not something that has happened on our campus on the scale that it has happened elsewhere. I've already mentioned the two incidents in the period of time that I've been there.

The Chair: Thank you.

Dr. Gerald Gerbrandt.

Dr. Gerald Gerbrandt: We're a very small institution, with primarily Canadian secular students or Christian students, so the whole question of anti-Semitism on our campus is a very different one. I don't think we can speak about it in the same categories as the other institutions. However, what I'm trying to push is to foster what might be called "respectful dialogue". That's a phrase we've used a number of times.

All too often, university students are extremely passionate and emotional and will tend to use language in terms that do not contribute to real dialogue and certainly don't throw light on a subject. For example, even for the term "apartheid", I consider genuine debate about Israeli political policies quite legitimate, but whether that term throws light on a subject or generates genuine dialogue is questionable.

What I attempt to push is that students relate to each other in a manner that actually allows greater understanding.

• (1340)

The Chair: Thank you very much.

We'll now turn to Ms. Judy Wasylycia-Leis.

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

Thanks to all of you for being here. It's nice to see a former colleague, Stephen, back here in this place. Welcome. Dr. Gerbrandt from the Canadian Mennonite University in Winnipeg, my home

town, and the same with Professor Marilou McPhedran. It's nice to see you all. Bonjour à Michel Lamontagne.

I think the analogy or the example of being drowned out as evidence of anti-Semitism doesn't hold much water when you look at this place, the House of Commons. We're always drowned out. Sometimes I'm doing the drowning out of others, and vice versa. But I don't think anyone can suggest for a minute that has heinous motivations behind it. It's the same way we're facing right now, with Parliament being shut down; we're locked out. I could try to claim that this means that all of the Stephen Harper gang are anti-democrats, but that would probably be stretching it, wouldn't it, just like it would be stretching it to say if you're drowned out at a university campus dialogue that's an obvious example of anti-Semitism.

That's the kind of analogy we have to look at and be very careful about. There's a real worry. People are looking at this process and our committee right now and wondering and asking me and others whether we should really be involved in something that looks like it's a front for the Conservatives to see that any criticism of Israel is anti-Semitic. That's not the point of this group. We're not here to do that. We're here to have a look at serious anti-Semitism in this country, but by no means to impede freedom of expression on the point where we make generalizations that make the situation even worse, especially in this context.

I'm wondering if you feel like you're on trial here. We've had so many university presidents and representatives here because of the apartheid week on campus. Do you feel like you're on trial here and you have to account for that?

I'm worried. I want to know how you think we as a group should be handling that part, which we would all agree is not evidence of anti-Semitism but is maybe offensive and might make some people feel they haven't got the freedom of speech that they would like to have. We're all searching for that balance between speaking and learning the lessons of the Holocaust, which was that being silent for so long, we weren't there in time to stop the Holocaust. We obviously don't want to go down that path. We also don't want to make such generalizations and rule out all debate around Israel that we make the situation worse, or in fact fuel hatred.

I think one of the examples I want to reference in terms of this whole context of the committee and you being here is the concern that people had when KAIROS had its funding cut. I assume it's true, from reading the newspapers, that in fact the minister responsible, Jason Kenney, said that the government had implemented a zero tolerance approach to anti-Semitism in Canada, and in part means that we have eliminated any government funding relationship with organizations who are taking a leadership role in the campaign of boycott, divestment, and sanctions against Israel.

Now, I may disagree with apartheid and divestment and boycott and sanctions against Israel, but I do know that we need to have the freedom to debate. I've been to Israel a couple of times, thank goodness, and it's easier to have a debate about Israel and the role of the government and the state and what it's doing there than it is here.

I just want to raise this and ask in this context, what do we do to make sure we have that balance? I appreciate the work of peace camps and the community dialogue, but what else? What can you tell us about this? How hard and fast do you think this committee should be in terms of what's happening on campuses? And what can that mean if you're put in a corner and asked to sign a statement like you were handed in terms of the U.S. example? Tell us a bit more about how you think this should be translated in terms of the work we're doing as a coalition and the pitfalls of this whole area of broadening the definition of anti-Semitism.

• (1345)

Prof. Marilou McPhedran: I actually have to respond by asking a question. Were the questions that were sent to us drafted in committee?

Ms. Judy Wasylcia-Leis: No.

Prof. Marilou McPhedran: Could just any individual member of the coalition send in a question? Is that how the list came to be?

Ms. Judy Wasylcia-Leis: No, they are not from committee members.

The Chair: The secretariat drafted them.

Prof. Marilou McPhedran: All right.

The strength of this panel and of a hearing like this is that there are multiple parties represented, and there are multiple points of view around this table as well. The strength of a hearing like this today is that universities are being given an opportunity to respond to a compelling problem that in some places may be perceived as increasing and in other places may be perceived as decreasing. However, in all places, to everyone around this table and in every university across this country, racism and anti-Semitism is a very serious issue that requires a high-level rapid response.

Being able to be here to give individual information about our institutions and then to engage in the collective discussion is, in and of itself, identifying the importance of human rights in our country, the importance of freedom of expression, and the important role that universities have as academic institutions in promoting within their communities and as leaders in the larger community the essential qualities of a constitutional democracy that places equality rights, human rights and freedoms as central to being the country we are.

Coming here today to represent the University of Winnipeg and our president, Lloyd Axworthy, I certainly didn't bring any speaking points to say to you that this is what you should be doing as a parliamentary coalition. Rather, I would say to you that having convened this meeting, you have identified an issue that is considered by members of this panel, of this coalition, to be of concern. There may be many differences within that, but as long as you don't slice the salami too thinly, there is concern. The very existence of the hearing today is a way to understand better and to explore the nature of the issue and issues and also appropriate responses, whereas as universities we play a role within the larger role.

So that's how we approached coming and being with you today.

The Chair: Thank you.

Mr. Owen.

Hon. Stephen Owen: Universities are immensely privileged institutions. We have institutional independence. We have academic freedom. We have security of tenure for our faculty. Along with that incredible list of attributes, we have a huge responsibility, and I think we should be the test bed, the challenge place, the research centre for dealing with society's toughest ideas. Our job is therefore much more complicated than just saying this type of speech or this line of delivery is going to insult people or confront people in a very uncomfortable way.

Maybe we have to be confronted in many ways uncomfortably, but we also, as administrations, even while we respect free speech and academic freedom, have to be able to draw some tight lines when someone's security or someone's basic being is being attacked in a way that may not be physically harmful but goes to the core of who they are. We have to be brave enough to stand up and, where the line is crossed, to say no, and to go far beyond physical security.

It's a tough role, but that's what we should constantly be putting our mind to, and I hope this committee can help us do a better job of that, frankly, through the report that it puts out.

• (1350)

The Chair: Thank you.

We will now turn to Professor Cotler.

Hon. Irwin Cotler (Mount Royal, Lib.): Maybe I'll just follow up with Steve Owen, in light of his last remarks. Parenthetically, earlier he referred to question period, and I always remember something he told me about question period when we were both ministers.

I don't know if you remember it, but you said that in question period we're 15 seconds away from oblivion. It was something that I always—

Hon. Stephen Owen: But you're still here.

Hon. Irwin Cotler: But maybe now in oblivion.

It's something I never forgot.

On the last point, let's try to take a case study—and a hard case—on the matter of Israel Apartheid Week. Why I say it's a hard case is that apartheid is defined in international law as a crime against humanity. It has emerged as a metaphor for one of the two great evils of the 20th century. In a campus culture, arguably it would mean that somebody who supports Israel is in effect supporting a kind of a crime against humanity or racist evil. And that, it would seem, would chill those who might want to speak in that regard, because of the nature of the evil portrayed in the context of Israel Apartheid Week. As you mentioned, it's not just a matter of physical security; it goes to a matter of core identity and the like.

How would you deal with, and how do you deal with, the question of Israel Apartheid Week in terms of its fallout in the campus culture? Is this something that falls within the framework of free speech, however odious it might be? Or is it, conversely, silencing the speech of those who are not able to support what is held out to be such an evil? Is it calling for, in effect, the dismantling of a state because it is a crime against humanity?

I mean, there is a collection of issues here. I'm just wondering how one deals with that.

Hon. Stephen Owen: Well, I think you're right. There is a collection of issues there, issues that may have to be dealt with slightly differently.

One of the challenges we have at universities is that you have young minds coming through, inquiring minds, and incredibly bright people who don't carry the burden of history of understanding what apartheid means to someone of the Jewish faith and that place in history.

Jimmy Carter published a book equating Israeli actions to apartheid. That book hasn't been censored. Perhaps the role of people who are offended by that and those of us at universities who are seeing young minds exposed to the use of language that has a potency the young mind hasn't had experience with, and perhaps doesn't understand, is to broaden that education to ensure people have the information they need to properly assess the harm that could be done by the use of a word.

That is a broad answer, but it's not to pinpoint, to say here's the line, and you can't use a particular word over that line, because it might be misunderstood. It is to broaden people's understanding of the potency of words, if that's what we're talking about.

• (1355)

Hon. Irwin Cotler: Okay. And anybody else on the panel...?

If you're an administrator, let's say, right at the top of the leadership, and there is a projected Israel Apartheid Week on campus, what do you say to that? Do you allow it? Do you say you will allow it under certain circumstances, or that you won't allow it because it chills speech? How do you make a decision on something like that?

Hon. Stephen Owen: It's allowed. It's allowed because that's the nature of our institutions. I think to stop it would be to give the weight of argument to those who want to use it to disparage another group, and it would remove the opportunity to have a broader debate on why that's a potent word. What is the history of this? How does it relate to global events at the moment? You can't close down debate, even if it's harmful.

The Chair: This is open to everybody on the panel, so everyone can jump in.

Go ahead, Dr. Gerbrandt.

Dr. Gerald Gerbrandt: I have not been faced with that question, but I would be inclined to take the same approach the previous speaker did, with the addition that if I were to become aware of that kind of proposal, I would immediately initiate dialogue with those planning it in order to try to share with them how that is perceived

and how that may actually not further, as I said before, any throwing of new light on the topic or any dialogue.

Whether I would in the end veto it, I don't know. I'm not sure that would be effective. But I would want there to be discussion with the organizers prior to doing it so they would have a better understanding of what they're communicating.

The Chair: We will have a final question.

Mr. Scott Reid.

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

Professor McPhedran, my question arises from something you said, and I suspect—although I invite responses from everybody—that you and Mr. Owen, given that both of you have a background in human rights work as well as in academia, might be able to respond best to it.

You made a distinction—I'm not sure if it was inadvertent or if it was deliberate—between civil rights and human rights in discussing this issue, and it struck me as potentially being a germane distinction to delve into a bit, given that we have the concept of human rights, including the right to not be discriminated against, and the more traditional concept of civil rights emphasizing such rights as freedom of speech, as well as other basic rights, such as the right to not be physically intimidated or harmed.

At any rate, I would invite any further elaboration you could give.

Prof. Marilou McPhedran: I think you've captured it actually very well by pointing out that we understood civil rights much sooner than we articulated or understood human rights. Human rights form a series of rights that are articulated now in international law and in national laws, and in the case of Canada at the provincial level as well. They have grown out of an evolution of understanding about the inalienable rights of being human—very much informed by the Holocaust in World War II. The civil right of assembly and the civil right of freedom of expression are interconnected. They support each other. They need each other. We can't conduct ourselves or live in a society that is respectful of human rights unless we live in a society that has the foundation of civil rights.

Some argue that those differentiations should not actually be emphasized, but because the focus of this particular coalition hearing is both freedom of expression and freedom of assembly, I was prompted to make that distinction.

Hon. Stephen Owen: That's very helpful to me as well. I would just describe one thing differently, which is that they overlap. One place they overlap quite poignantly is in the question of when speech, rather than some physical atrocity, hurts in a really fundamental way, that speech becomes an offence against human rights that goes to the very core of a person's being human.

The Chair: Thank you.

Are there any further comments?

I want to thank very much the witnesses for being here.

This is the second-last of our panels. I just want to remind members that we have one more panel on February 8, two weeks from today. I'd like everybody to be there.

I appreciate very much your presentations. Thank you very much.
Monsieur Lamontagne.

Mr. Michel Lamontagne: I would like to make one short comment. I just want to reassure my colleague from UBC and correct the record: \$2.1 billion is where we hope to be after the next

budgets, provincially and federally. Today we are at \$1.2 billion. It's the other way around. The difference between the two is the tuition fees in Quebec. Sorry.

The Chair: Okay, thank you very much. Merci.

The meeting is adjourned.

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:
Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

*En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :*
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and
Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the
following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les
Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à
l'adresse suivante : <http://www.parl.gc.ca>