

Submission to the Canadian Parliamentary Coalition to Combat Anti-Semitism
From: Faculty for Palestine
August 31, 2009

This submission is written to express our strong support for committed work by Members of Parliament against discrimination in all its forms, and our recognition of real concerns that anti-Semitism might be on the rise. However we are deeply concerned that the focus of the CPCCA is defined in such a way as to undermine serious equity work in Canada, while also posing a major threat to freedom of expression.

New Anti-Semitism?

The Parliamentary Coalition is focused on redefining anti-Semitism along the lines of what has been called the “new anti-Semitism.” The website for the CPCCA states, “the problem is now being manifested in ways never experienced before” and that “new fears have arisen especially for those who support the State of Israel.” What is new about the new anti-Semitism, it adds, is that “accusations of blood libel ... are being directed against the State of Israel, such that anti-Zionism is being used as a cover for anti-Semitism.”

While we recognize that anti-Zionism can be used as a cover for anti-Semitism, and deplore instances where that is the case, we are alarmed by the attempt to widen the definition of anti-Semitism to include opposition to the Israeli state. Such an attempt can, in fact, weaken the human rights of Jewish people. Insofar as the term anti-Semitism is associated with the Israeli state and not Jewish people, it makes political opinion – not discrimination and hate – the measure of anti-Semitism.

Moreover, this focus on the “new” anti-Semitism orients the work of the CPCCA more towards targetting advocacy for Palestinian rights than to protecting the human rights of Jewish people. Criticism of the state of Israel does not constitute anti-Semitism, and the right to legitimate criticism must include the characterization of Israel as an “apartheid” state, calls for boycott, divestment or sanctions, and questioning the exclusionary character of Israel as a “Jewish state.”

Israel and Apartheid

The characterization of Israel as an apartheid state must be recognized as a legitimate topic for public discussion and debate. The term “apartheid” is defined specifically in Article 7 of the Rome Statute of the International Criminal Court as “inhumane acts ... committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.” Many critics have argued that this definition fits the state of affairs in Israel, including former U. S. president Jimmy Carter, Archbishop Desmond Tutu and United Nations General Assembly president Miguel D'Escoto Brockman.

There should be debate about the applicability of the term “apartheid” to the State of Israel. It is a misuse of the term “anti-Semitism” to use it to try to silence such debate. This is especially so in a context where Israel’s persistent and expanding disregard for international law is creating a deepening severity in the violation of Palestinian human rights. From the construction of the illegal “security fence” and its usurpation of Palestinian land and homes, to the growth of illegal Israeli settlements in the West Bank, to the ongoing denial of Palestinians, right of return (Resolution 194), the Israeli state’s actions must be judged in the same terms applied to all states (i.e., international law and human rights principles).

Boycott, Divestment and Sanctions Campaign

The unified call for boycott, divestment and sanctions was issued by 170 organizations of Palestinian civil society on July 9, 2005 one year after the historic Advisory Opinion of the International Court of Justice (ICJ) which found Israel's Wall built on occupied Palestinian territory to be illegal. It is a non-violent campaign to pressure the State of Israel into changing its policies toward Palestinians. In characterizing Palestinian human rights and boycott supporters as anti-Semitic, the CPCCA is effectively denying a legitimate means of political expression. There should be debate about this boycott campaign, without characterizing boycott advocates as anti-Semitic simply on the basis of their support for this particular pressure tactic. While the tactics can and should be debated, the right to raise opinions about any form of governance should be considered inalienable in any liberal democracy.

Further, it is not anti-Semitic to challenge the existence of Israel as a “Jewish state.” The Jewish community in Canada has a long history of working to challenge the existence of Canada as a “Christian state.” In Ontario, for example, Jewish people played an important role in eliminating the compulsory Protestant education that was part of public school education. It is a great achievement of the Jewish human rights movement in Canada to have played such a role in advocating for a secular and multicultural state. It is not anti-Semitic to hold the State of Israel to the same standards we apply to Canada.

Free Expression on Campuses

As university faculty we find it particularly troubling that the international parliamentary committee has identified “media and academia” as urgent targets of the “new” anti-Semitism, and that the Canadian committee shares this focus in claiming that it is “especially prevalent on campuses”. It is certainly true that campuses have been important sites for raising legitimate criticism around Israel’s violations of international law, and for expanding public awareness about the increasingly severe consequences of these on Palestine and Palestinians.

Israeli Apartheid Week, an annual campus educational event that began in Toronto in 2005, now takes place on over 40 campuses globally. As campuses have grown as a vital site of public awareness and analysis, so too have the efforts to silence this as a

legitimate space for educational and critical debate on Israel and Palestine. In Canada specifically, the past year has seen a concerted campaign to limit the rights to Palestine advocacy on our campuses, in cultural programming and in our communities.

Disturbingly, the “new” anti-Semitism is used as a rationale for this silencing. If this were the reigning definition of anti-Semitism, then thousands of academics from around the world would have been silenced and criminalized for criticizing Israel’s war on Gaza in early 2009. As Israel’s relentless assault on Gaza continued for over 23 days to take over 1300 Palestinian lives and injure 5000 more while destroying schools and homes alike, campuses across the globe became the most formidable sites of criticism and international solidarity. This should be upheld as a hallmark of democratic rights and freedoms, not branded as “new” anti-Semitism.

Freedom of Expression and the Protection of Human Rights

The CPCCA would make an important contribution by clearly recognizing the legitimacy of Palestine advocacy, rejecting the definition of the “new anti-Semitism” and focusing attention on the human rights of Jewish people within a broader equity framework. We are concerned, however, that this option is foreclosed by the narrow focus of the inquiry and its defining terms. By the CPCCA definition, the systematic repression of freedom of speech in support of Palestinian rights and against Israeli apartheid will not be documented and, more dangerously, is considered to be the central problem.

Finally, we draw attention to the fact that both of the CPCCA’s main committees are under the direction (ex officio) of two Members of Parliament who have been active in advocating and applying the “new” anti-Semitism definition against Palestinian advocacy. As the public record shows, Jason Kenney (Conservative) and Irwin Cotler (Liberal) are not neutral parties in this endeavour. Moreover, both the party in government and the main opposition party are clear advocates of increasing ties with Israel despite widespread and growing public criticism of its violations of international law in Palestine. In this context, we challenge the Parliamentary coalition’s claim to be “unaffiliated with the Government of Canada”. While it clearly has no legal authority or formal relation to Parliament, the question of affiliations is far more complex.

Moreover, we question the CPCCA’s use of the language and symbols of parliament to project itself as an authoritative public body. Notably, it anchors its legitimacy on the fact that it has participation “from all parties in the House of Commons”, and has taken the rather unprecedented step of holding public “hearings”. It needs to be emphasized, however, that this is a self-constituted body and not a representative one. Its mandate was given to itself, not generated out of public debate nor approved through any parliamentary channels. Perhaps most disturbingly, this aspect of the coalition permits it to be shielded from public accountability. Unlike properly constituted parliamentary committees, for example, the “hearings” are ill-defined and Members of Parliament in the coalition are immune from legal action stemming from statements made or actions taken in their meetings.

Faculty for Palestine would welcome the opportunity to present our Submission at the public hearings scheduled to be held later this year.

Who is Faculty for Palestine?

Faculty for Palestine (F4P) formed in the spring of 2008 in response to the increasing pattern of suppression of freedom of speech and freedom of assembly around the advocacy of Palestinian rights in Canadian universities. We have been particularly concerned about attempts to silence *Israeli Apartheid Week*, the main site of support for the Palestinian Boycott, Divestment and Sanction (BDS) movement on campuses. Our broad mandate is to educate, inform, organize and advocate around these issues. In the past year, over 400 Canadian academics from 43 universities and 13 colleges across Canada signed our Open Letter to the university community regarding the defense of Palestinian rights on Canadian campuses. This collective expression of concern indicates broad-based acknowledgement that it is urgent to extend free speech in post-secondary institutions in Canada regarding the conditions faced by Palestinians, and to protect the legitimate right to criticize and debate the apartheid practices and policies of the Israeli state. As a committee of the Coalition Against Israeli Apartheid, our commitment to Palestinian rights includes a vision of equity and justice in the broadest sense. As part of the coalition, we share the following statement:

“We believe that justice will not be achieved without equal rights for everyone in the region, regardless of religion, ethnicity or nationality. We understand Israeli apartheid as one element of a system of global apartheid. To this end, we stand in solidarity with all oppressed groups around the world, in particular, the indigenous people of North America. We oppose all forms of racism, Islamophobia and anti-Semitism.”

A copy of the Open Letter and further information about Faculty4Palestine is available at www.caiaweb.org/faculty.

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