

May 27, 2024

To the Clerk of the SC, Mr. Jean-Francois LaFleur at: JUST@parl.gc.ca

Submitted by Mr John Rosen, in coordination with the Alliance Combatting Campus Antisemitism in Canada (ALCCA) to the Standing Committee on Justice and Human Rights – study of antisemitism and islamophobia

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Dear Honourable Members of the Standing Committee on Justice and Human Rights

This brief specifically addresses the submissions made to this Standing Committee by Independent Jewish Voice (IJV). I thank David Matas for his assistance in preparing this brief.

1) IJV: Jewish opinion has long been divided on how to define antisemitism.

Response: Jewish opinion widely accepts the IHRA definition of antisemitism.

2) IJV: Jewish opinion has long been divided on whether strong criticism of Israel correlates with hatred toward Jews.

Response: There is a difference between strong criticism of the behaviour of Israel and strong criticism of the existence of Israel. Israel, like any democratic state, has a vigorous public debate, a wide range of views and an active opposition. Many Canadians, both Jewish and non-Jewish alike, engage in that debate, as they do for other democratic foreign countries. Zionism is the belief in the existence of Israel as a Jewish democratic state, and the realization of the right to self-determination of the Jewish people. Some of Israel's harshest critics are Zionists. That is how it should be. Zionism is not incompatible with the recognition of Palestinian self-determination or, for many Zionists, a two-state solution if the adjoining Palestinian state discontinued efforts to destroy Israel.

Anti-Zionism is the belief that Israel, as a Jewish state, should not exist. That is antisemitism.

3) IJV: The belief that strong criticism of Israel is equivalent to antisemitism has been used to justify restrictions of freedom of speech and academic freedom.

Response: the IHRA definition of antisemitism recognizes the very difference raised here. It is not antisemitic to criticize Israel, its government, its policies, and actions in the same way that countries around the world are subject to such criticism. It is antisemitic to delegitimize the State of Israel, and advocate for the elimination of the Jewish state. Unfortunately, freedom of speech and academic freedom have been distorted in an attempt to immunize hate speech from consequences. Incitement to violence, intimidation, support for designated terrorist organizations – these are not protected speech. Nor should they be. Nor are educators free to attempt to indoctrinate their students about controversial issues. That is not their role. They are not entitled to poison the learning environment for Jewish students by demonizing them and their core values, rather than contributing to a respectful dialogue where opposing views can be discussed.

4) IJV: Statistical reports on antisemitism which equate Jew hatred with criticism of Israel exaggerate the threat of antisemitism.

Response: True antisemitism is flourishing in Canada. Unfortunately, many antisemitic incidents are taking place daily. Fortunately, many are documented. The threat of antisemitism is real. Some of what is characterized as criticism of the behaviour of Israel is in fact criticism of the existence of Israel because the criticism is demonization for the purpose of delegitimization. This demonization affects Jews worldwide. Legitimate criticism of Israeli behaviour includes or implies a suggestion for something Israel could do to make Israel a better Jewish state. Demonization asserts and implies no constructive criticism. Antisemites often do not assert they are antisemites. One has to assess other words that antisemites use to appreciate their antisemitism. To IJV, antisemitism is not what the IHRA adopted definition says it is. IJV defines away the problem. Attacks on Jews because they are Jews will not go away just by changing the definition of antisemitism.

5) IJV: Attempts to rank marginalized groups according to reported incidents of hate crimes are likely inaccurate given that marginalized groups consistently under-report hate crimes to police and other authorities.

Response: This statement assumes that Jews are not a marginalized group. Even if one assumes that there is a higher rate of reporting of hate crimes against Jews than reporting of hate crimes against any other victim group, that higher rate does not explain differential rates of growth of reported incidents. There is no reason why rates of growth of hate crimes would be significantly greater with Jewish victims than non-Jewish victims other than a growth of antisemitism.

6) IJV: Reports on hate crimes or incidents of antisemitism frequently misattribute the growth of antisemitism to the movement for Palestinian human rights.

Response: It is more accurate to say that some antisemites mischaracterize their antisemitism as an assertion of Palestinian human rights.

7) IJV: The Audit lacks methodological transparency.

Response: The Audit has a section on methodology on page 11 consisting of 282 words. The IJV assertion here is not just unsupported by facts; it is counterfactual. More to the point, the identification of antisemitic activities comes from many sources, and has often been captured on video and in photographs.

8) IJV: The Audit obfuscates evidence of low levels of antisemitic sentiment in the Canadian public.

Response: Antisemitic acts by a minority of a Canadian public of almost 39 million people can cause a big problem for Canada's Jewish population of less than 400,000 people.

9) IJV: The recent reported rise in antisemitic incidents can be attributed to the conflation of antisemitic and anti-Israel acts.

Response: When somebody Jewish in Canada is attacked for something that Israel did, no matter how wrongful the attacker thinks the Israeli behaviour is, that is antisemitism. It is classic bigotry to blame an innocent member of an identity based group for something that someone else in the group did.

10) IJV: Negative attitudes toward Israel are more widespread than negative attitudes toward Jews.

Response: When it comes to negative attitudes toward the existence of Israel the opposite is the case. Some antisemites have other motivations besides anti-Zionism.

11) IJV: There is very little empirical evidence that demonstrates conclusively that Jewish students are indeed unsafe on Canadian campuses.

Response: The blinkered approach to antisemitism IJV uses, suggesting that an attack on a Jewish student on campus, based on what the attacker considers to be wrongful behaviour of Israel, is not antisemitism, undermines the empirical assertion IJV makes. In reality, IJC engages in the worst form of confirmation bias. They discount anything that disproves their assertions.

12) IJV: There is a chilly climate for political and academic expressions of support for Palestinian human rights.

Response: The Jewish community does not claim that they are the only victims of intolerance. Bigotry in all its forms should be countered. But I repeat. Zionism, properly understood, is not inconsistent with Palestinian human rights. But protests that glorify Hamas are not pro-Palestinian. Nor do they advance Palestinian rights. Indeed, they create an environment that ignores the violation of fundamental human rights by jihadists against Palestinians.

13) IJV: The International Holocaust Remembrance Working Definition of Antisemitism should not be imposed on

Canadian universities.

Response: The request is not that it be imposed, but that it informs the development of relevant policies, practices and education.

14) IJV: The IHRA Working Definition of Antisemitism is not a universally-accepted definition of antisemitism.

Response: The definition is widely accepted, far more widely accepted than any other definition. To expect unanimity would be unrealistic.

15) IJV: The lead author of the IHRA definition of antisemitism opposed the definition.

Response: The person IVC identifies in a footnote as the lead author, Kenneth Stern, was not in fact the lead author. Kenneth Stern was not present at the IHRA meeting in Romania in 2016 when the definition was adopted. Kenneth Stern was involved in a predecessor definition of antisemitism endorsed by the European Monitoring Centre on Racism and Xenophobia. That definition varies in significant ways from the IHRA definition. The real authors of that earlier definition deny that Kenneth Stern was the author.

IJV: Mandating the adoption of the IHRA definition on university campuses will not exacerbate tensions and unleash opposition from students and faculty who view the document as an attack on academic freedom and freedom of expression.

Response: One can see why universities have become such hotbeds of antisemitism. They do not themselves recognize antisemitism when they see it. The reason they do not see it is that they have defined antisemitism away. Governments must, through use of the IHRA definition of antisemitism save universities from antisemitism because universities have lost the capacity to save themselves.

16) IJV: Criticism of Israeli policies of dispossession, violence, and restricting aid during a growing famine in Gaza are not antisemitic.

Response: There are no Israeli policies of dispossession and restricting aid. There are problems of aid distribution, caused by Hamas diversions and thefts. There are problems of civilian flight caused by the Hamas use of civilians as shields. There is a legitimate Israeli policy of responding to the Hamas attack of October 7th, the mass murder and sexual assaults and kidnapping of hostages, whom Hamas still detains. But this is a red herring. The focus is on conduct that delegitimizes Israel as a nation regardless of what it does.

17) IJV: The greatest flaw of the IHRA definition is its failure to make any ethical and political connections between the struggle against antisemitism and other sorts of prejudice.

Response: That flaw does not exist. The IHRA definition has a very simple definition of antisemitism, hatred of Jews. The struggle against antisemitism is a struggle against racial and religious hatred. Other sorts of prejudice are identical in form, hatred of other identifiable groups. The IHRA definition has examples which are illustrative and Jewish specific. Each targeted group will have its own examples. The notion that all examples would be the same for every group is unrealistic.

Thank you for your consideration, John Rosen