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Resisting McCarthyism: From the “PC Wars” to “New Antisemitism”

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RESISTING MCCARTHYISM: FROM THE “PC WARS” TO THE “NEW ANTISEMITISM”

Abstract

This essay examines two waves of neo-McCarthyist attacks on free speech and academic freedom: the 1990s campaign against “political correctness,” and (in greater detail) contemporary attempts to silence human rights activists who call for the application of international law in support of Palestinian resistance to Israeli occupation and oppression. Resistance here takes the primary form of analytical understanding of the motives involved, of the parallel rhetorical inversions deployed in both cases, and of the political and legal tactics being used in the current attempt to reconfigure human rights solidarity as a form of “new antisemitism” (and hence as hate speech). Since the author has been closely involved in resisting both forms of neo-McCarthyism, the essay draws repeatedly on his own past interventions.

Résumé

Cet article examine deux vagues d’attaques néo-mccarthystes sur la liberté d’expression et la liberté académique : la campagne des années 90 contre le « politiquement correct » et (de manière plus détaillée) les tentatives contemporaines pour faire taire les militants des droits de l’homme qui voudraient faire appliquer le droit international en soutien à la résistance palestinienne à l’occupation et à l’oppression israélienne. La résistance prend ici la forme primaire d’une compréhension analytique des motifs impliqués, des inversions rhétoriques parallèles déployées dans les deux cas et des tactiques politiques et juridiques utilisées dans la tentative actuelle de reconfigurer la solidarité humanitaire comme une forme de « nouvel antisémitisme » (et donc un discours de haine). Puisque l’auteur a été étroitement impliqué dans la résistance à ces deux formes de néo-mccarthysme, l’essai tire à plusieurs reprises de ses propres interventions.

1. REMEMBERING THE “CULTURE WARS” OF THE 1990S

My active involvement in issues of free speech and academic freedom, and in resistance to successive waves of neo-McCarthyist repression in Canada, began almost accidentally. Early in 1991, I rashly accepted an invitation to stand for the presidency of the Association of Canadian College and University Teachers of English. I say “rashly” because this involved a four-year commitment: one year as Vice-President, two as President, and a final year as Past President. The timing was awkward in another sense—for on the same weekend in May 1991 that I was elected, *Maclean’s* magazine devoted its cover story to informing Canadians that “a new wave of repression,” impelled by feminists, literary theorists, and other exponents of “political correctness,” was sweeping through our universities (Fennell).¹

Much heat and little light had been generated in the US media in 1990 by denunciations of “political correctness”—and now this issue had spilled over the border. Reason, civility, academic freedom, and Western culture were allegedly at risk—and the chief instigators of this irrationalism were professors of literary studies.² I was delegated to respond to this and similar attacks.

If the self-image of many scholars, in the model of Samuel Johnson’s definition of the lexicographer, is that of a harmless drudge, one might almost think it exhilarating to be represented in the media as a collective Godzilla rampaging through our universities and trampling Western Civilization underfoot.³ But it was not amusing to discover that while national media outlets like *Maclean’s* and *The Globe and Mail* were happy to accuse literary

¹ The issue contained a further article by Jenish, which recycled anecdotes about a supposed “fascism of the left” in American universities, apportioning space to supporters and opponents of this view in a ratio of eight to one. The *Maclean’s* issue marked the definitive arrival of the “political correctness debate” in Canada.

² Scholarly analyses of this controversy include Bérubé; Wilson; Keefer, *Lunar Perspectives*, and the essays collected in Gless and Smith; Richer and Weir; Bérubé and Nelson; and Williams. Aufderheide and Berman provide useful anthologies of materials from both sides of the controversy. Canadian book-length contributions to the anti-PC side include Fekete as well as Emberley.

³ I am echoing Davidson’s observation that it was in a sense “exhilarating” (14) for academics previously dismissed as “silly and irrelevant” to be denounced as though, “like Godzilla rising from the muck,” they “threaten[ed] the very existence of western civilization” (8). For discussion of an equally apocalyptic image, see my analysis in Keefer, *Lunar Perspectives* 67-71 of an anti-PC article published by *The Globe and Mail*.

scholars of violating professional ethics, they were less eager to print responses, and repeatedly refused to our association the right of reply they would have accorded to the medical or legal professions.⁴

It was not hard to show up the fatuity of most of the polemicists against so-called “political correctness,” whose fearmongering was largely refuted by the actuality of prior, and indeed very recent incidents of politically-motivated repression in Canadian universities.⁵ Among these was the scandalous response of University of Western Ontario (UWO) President George Pedersen in 1989-1990 to a study documenting systemic discrimination against women faculty at his university: after calling the report McCarthyist at a meeting of the academic senate into which he invited the media, he slandered its authors as incompetent and threatened them with disciplinary action (see Chilly Collective 133-69).⁶ The massacre of fourteen women at the École Polytechnique de Montréal on December 6, 1989, stands on a different level—though the perpetrator’s statements made it clear that his motives were political (Came; Malarek; Pelchat), and death threats received in late 1991 by the editors of feminist journals associated with two other universities (Scott) show that he was not alone in his hatred of women on university campuses. But from the perspective of anti-PC polemicists, who regarded feminists as by definition victimizers rather than victims, instances of actual repression, whether vigilante or administrative, faded into invisibility.

The *Maclean’s* “wave of repression” consisted, beyond scare-mongering rhetoric, of four actual cases. One of these was a matter of unnamed feminists who called Shakespeare sexist and racist at a conference in Vancouver, another of a report that feminists at Acadia University had objected to the university calendar’s reproduction of an Alex Colville painting that they thought dehumanizes women. Whether sensible or fatuous, the notion that these opinions could have repressed Shakespeare or Colville (who was also the university’s chancellor) is absurd.

⁴ With one exception, my responses in 1991-1992 were refused by *The Globe and Mail* and *Maclean’s* and ended up in academic outlets. Listings in an annotated bibliography I published (Keefer, ““Political Correctness’: An Annotated List of Readings”) can provide some impression of the degree of media bias: between the end of 1990 and mid-1992, *The Globe and Mail* and *Maclean’s* published twelve anti-PC texts and six responses, some of them much shorter than the articles that provoked them.

⁵ See Horn; and Chilly Collective 29-60 and 211-63.

⁶ Pedersen’s attacks on the *Chilly Climate Report* were false (Chilly Collective 159-69), and he was the one engaging in the McCarthyist grandstanding he accused his faculty members of.

A third case involved Ontario Premier David Peterson’s call for the dismissal of UWO psychologist Philippe Rushton. Rushton’s academic freedom was vigorously defended by the same university president who was simultaneously abusing the academic freedom of feminist colleagues. But while Pedersen was right this time, and Peterson wrong, an assessment of Rushton’s scholarly competence would have ended differently: his claims of a racial hierarchy in intelligence (which had prompted public controversy and the Premier’s intervention) were exposed by researchers in psychology, political science, genetics and evolutionary biology as racist, methodologically incompetent, and scientifically invalid (Lane; Kamin 100-01; Sedgwick 155-59; Miller 168-72; Reed 267).

Only the fourth case, involving Jeanne Cannizzo, who curated a Royal Ontario Museum exhibition about Canadian participation in the nineteenth-century colonization of Africa and was harassed by activists who found the exhibition racist, provided genuine cause for concern. Cannizzo’s harassment was disgraceful, but the activists’ perception of racism were accurate: a study by Linda Hutcheon showed that juxtapositions of image, text, and recorded speech in the exhibition had produced unintended but powerfully racist structures of meaning (Hutcheon).

Issues of the kind touched on by the *Maclean’s* report figured prominently in PC controversies. But as I wrote at the time, what remained of the wave of PC repression “would scarcely fill a teacup” (Keefer, “Political Correctness”).

2. RHETORICAL STRUCTURES OF THE “POLITICAL CORRECTNESS” POLEMICS

Since the late 1980s, the American “cultural left” had been under attack by a powerful coalition of forces in government agencies, in right-wing foundations, and in the corporate media—a combination reminiscent of that which made possible the witch-hunting career of Senator Joseph McCarthy in the early 1950s (Schrecker). Yet when this attack ripened into the PC debate, one of the commonly repeated assertions of neoconservative polemicists—in addition to their claims to be standing up against “moral vigilantes,” “red guards,” campus “brown-shirts,” politically correct “storm-troopers,” and practitioners of “intellectual terrorism”⁷—was that they were exposing and

⁷ See, for example, Smith (“moral vigilantes,” “storm-trooper tactics”); Rawson (“professional misconduct bordering on intellectual terrorism”); W. Williams (who, in his article “College Administrators Aiding Campus Leftists,” pointed to “the equivalent of the Nazi brownshirt thought-control movement” on US campuses [qtd. in Wilson 170]); and

resisting a “new McCarthyism” of the left. UWO President Pedersen’s description of the report that exposed his university’s gender-equity problems as “almost a Joe McCarthy type of research” (Chilly Collective 143) anticipated other uses of the historical analogy to McCarthyism by anti-PC polemicists who must often have been aware that it could more appropriately be used to cast light on their own behaviour.

Early in his presidency, Richard Nixon had responded to the fact that American universities were becoming focal points in a nationwide mobilization against the genocidal war in Vietnam by defining them as “citadels of freedom, where the rule of reason prevails”—but as citadels under siege: “Now both the process of freedom and the rule of reason are under attack” (Wallerstein and Starr 1: 53).⁸ Appropriately enough, it was during Nixon’s presidency that American conservatives first propounded the notion of a “left McCarthyism” (Wallerstein and Starr 2: 47).

In 1986, nearly two decades later, at a time when opposition on campuses to dirty wars in Central America and southern Africa⁹ prompted fears of a renewed radicalization of students, Nixon’s metaphor was recycled—with a difference—by Education Secretary William Bennett. “Campus radicals,” he declared, “nowadays tend to see the university as a kind of fortress at war with society, an arsenal whose principal task is to raise ‘revolutionary consciousness,’ frustrate the government, discredit authority and promote a radical transformation of society” (qtd. in Bromwich 89).

This version of the metaphor was echoed in 1991 by Allan Bloom of the University of Chicago, whom novelist Saul Bellow praised as “a front-line fighter in the mental wars of our times” (in Bloom, *Closing of the American Mind* 12). According to Bloom, “the barbarians are not at the gate; they, without our knowing it, have taken over the citadel” (Bloom, *Liberal Education* 9; qtd. in Wilson 78). It might seem ludicrous that “front-line” culture warriors could have failed to notice an event of such importance. But as conservative ideologue Pat Buchanan naively explained in 1992, “While we

Beers (who documented grotesquely misleading references to PC students behaving like “brown shirts” and “storm troopers,” and mimicking the tactics of “the Nazis’ heyday,” “Stalin’s reign of terror,” and “Mao’s cultural revolution” [107-08]).

⁸ The statements quoted in this and the following paragraphs are discussed in Keefer, *Lunar Perspectives* 73-76.

⁹ These wars followed a pattern of the US arming murderously dictatorial regimes (in Guatemala, El Salvador, and Nicaragua), or seeking through proxy armies (the Contras in Nicaragua, UNITA in Angola, and RENAMO in Mozambique) to overthrow anti-colonial governments (“Angola”).

were off aiding the contras, a Fifth Column in our own country was capturing the culture” (qtd. in Wilson 78).

Several factors can be proposed as active in the PC furore of the 1990s—among them, the likelihood of a prudential reinvestment, on the part of people who had made gigantic profits in government-enabled scams like the Savings and Loan scandal, in the ideological apparatuses of the American right; and also the program of American conservatives from William F. Buckley onwards of a “long march” through the institutions of the state and the institutions of social reproduction that make up the higher educational system (Keefer, *Lunar Perspectives* 12-17, 21-25).

However, anti-PC polemicists aimed to discredit not just student radicals who they feared might launch a renewed mobilization against neo-colonial wars, but also the humanities professors—many of whom had come to intellectual maturity during the years of the American wars in Indochina—who were recovering layers of cultural memory ignored by previous accounts of our history and literatures, challenging prior axioms and crossing traditional boundaries between disciplines, and proposing institutional policies adequate to the realities of a multicultural society. Not just individuals, but whole humanities programs that could be suspected of encouraging critical, sceptical forms of understanding came under attack—which often included recommendations for de-funding (Wilson 58-63, 76; D’Souza 22; W. Williams, qtd in Wilson 170).

These goals were served by a rhetoric that relied upon deceptive inversions. For example, the label of a “new McCarthyism” was applied by people who were themselves attempting to revive a form of McCarthyist purge. Claims of concern for the victimized were inverted—scholars who sought to incorporate ethical principles into their analyses of social and literary texts, restoring a sense of value to the lives of the oppressed, were accused of unethically manipulating and victimizing their students—and so also was the term “politically correct.” Deployed by activists in the 1970s and 1980s in ironic self-reproach, as an injunction to remember that good intentions do not confer possession of the truth, its appropriation by conservative politicians and journalists was an “Orwellian inversion” by means of which a term used by people striving to better the position of women, working people, and minority groups came to be applied in a reflex manner to forestall discussion of the conditions that made their efforts necessary (Perry 78).

These inversions were guided by what Albert Hirschman identified as master tropes of the rhetoric of political reaction: the “perversity thesis,” according to which high-minded reforms “will produce . . . the *exact contrary* of the objective being proclaimed and pursued” (11); and the “jeopardy

thesis,” which holds that they will endanger some previous highly valued achievement (84).¹⁰

Polemicists could thus argue that scholars who wished to make room for feminist and gender studies, postcolonial and multicultural scholarship (as though this work hadn’t already indisputably arrived), were in fact fuelling misogynist, racist, and homophobic reactions among an otherwise quiescent majority, and thus producing an effect diametrically opposite to the intended one. Or they could claim that new currents of philosophical and literary-theoretical work posed a threat to something possibly ill-defined, but dear to us all—liberal education, for instance, or Shakespeare, or that Western Culture which the Bard can be taken in journalistic shorthand to exemplify.

Hirschman’s “jeopardy thesis” does not prevent “reactive” rhetoricians from conceding some value to their opponents’ proposals. But polemicists against political correctness typically adopted an almost Manichaean tone. If they were the children of light, their enemies were bringers of darkness, who were not inadvertently a menace to the constitutive principles of liberal education, Western culture, or American democracy, but were trying deliberately to subvert them. This darkness was political: the destructive impact of political correctness was said by conservative polemicists to result from a relentlessly narrow-minded politicizing of culture.

But as I argued in *Lunar Perspectives: Field Notes from the Culture Wars* (1996), their view of culture was itself “subtractively politicized”: the appearance of an uncontestedly conservative cultural tradition which they promoted was an illusion produced by a habit of decontextualization, or of deliberate erasure: a refusal to consider any evidence that told against their own professedly apolitical, but in fact thoroughly politicized world view (86-95).

3. THE NEW REVIVAL OF THE MCCARTHYISM— AND A LETTER TO A UNIVERSITY PRESIDENT

By the late 1990s the PC furore subsided—having achieved its goals of delegitimizing universities’ critical, as opposed to instrumental functions (Readings), of helping to re-orient them to serve corporate interests (Soley; Tudiver; Turk), and of preparing public opinion to accept cuts to programs in the human sciences, and sharp increases in tuition fees—for an education now defined as a private good rather than something of value to the community

¹⁰ This and the surrounding paragraphs condense an analysis developed at greater length in the opening chapters of Keefer, *Lunar Perspectives*.

(Keefer, *Lunar Perspectives*). But anti-PC rhetorical tactics have remained available for redeployment in new contexts.

Tendencies evident in the PC campaign—a substitution of *ad hominem* attacks for reasoned argument and a reduction in the range of acceptable political discourse—have been strengthened since the terrorist attacks of September 11, 2001 (Turk and Manson; Razack). In Canada, as elsewhere, anti-terrorist legislation was rushed through Parliament—though decried by defenders of civil liberties as an unnecessary extension of existing police and surveillance powers and a threat to rights protected by the *Canadian Charter of Rights and Freedoms* (Booth; Roach, *September 11* 70-84; Roach, “Defining Terrorism” 97-98). Writers in the English-speaking countries who wished to examine causal factors of the events of 9/11 were denounced as unpatriotic, or even as terrorist sympathizers, while those who doubted the official explanation of what had happened were stigmatized as “conspiracy theorists,” afflicted with a paranoid irrationality that Canadian journalist Jonathan Kay diagnosed as a special case of the mental disorder that had produced the disease of political correctness (Kay, *Among the Truthers* 270-73, 283).¹¹

In recent years, Canada’s political classes have found further reasons, in the growing Palestine solidarity movement and the delegitimizing of Israel’s brutal policies of colonization and apartheid in the occupied Palestinian territories (Makdisi; Halper 141-204; Gordon; Abunimah 75-124; Ehrenreich), for seeking to constrain free speech and academic freedom. Motives for this stance arguably include guilt for Canada’s past history of antisemitism and disgraceful rejection of Jewish refugees fleeing from Nazism (Keefer, *Antisemitism Real and Imagined* 148-52; Ogilvie and Miller 174-75); the long history of Canadian diplomatic support for the state of Israel (see Engler’s works); the continuing influence of Christian Zionism among the adherents of Protestant sects (Rabkin 3, 39-44); the example provided by the acquiescence of American political leaders—whether servile, sullen, or enthusiastic—in Israeli policies and actions; and the exclusion of viewpoints critical of Israel in the Canadian and US media.

The tactics deployed in a sequence of incremental attempts to mobilize the power of the state against the Palestine solidarity movement have, not surprisingly, echoed the inversions of the PC furore.

¹¹ Kay argued that discourses associated with political correctness and racial identity politics produced conspiratorial habits of mind and left, “like Marxism, . . . a toxic ideological residue” which—without leading “automatically” to a belief that men like George W. Bush and Donald Rumsfeld were responsible for the crimes of 9/11—“certainly” made such a belief “a lot easier to assimilate” (*Among the Truthers* 283).

The Boycott, Divestment, and Sanctions (BDS) movement, initiated by Palestinian civil society organizations in 2005, has been adamant in rejecting any form of antisemitism and insisting that their aim is to exert peaceful pressure on the Israeli state to conform to the requirements of international law. Moreover, as Independent Jewish Voices Canada has observed, the three BDS demands are closely parallel to Canada's official policy on Israel, Palestine, and human rights ("BDS Demands"). The goals of the Israeli Apartheid Week (IAW) movement, which was launched at the University of Toronto in 2005 and has spread to scores of universities and colleges in many countries, are similar: IAW events, held each year in February or March, combine lectures and seminars with cultural events, and aspire to provide their audiences with accurate information about the Israel-Palestine conflict and relevant legal and ethical principles. Notwithstanding which, spokespersons for pro-Israel organizations, journalists in the mainstream media, and representatives of the three major political parties—the Conservatives, Liberals, and New Democrats—have repeatedly smeared BDS and IAW events as expressions of antisemitism that should be disallowed on university campuses, and have treated even lukewarm support for them as disqualifying a person as a candidate for political office.¹²

This has resulted in glaring ironies. Many pro-Palestinian activists are Jewish—a fact that renders the accusation of antisemitism suspect. Next, it should be unnecessary for BDS and IAW to mobilize support for pressuring the state of Israel to adhere to instruments of international law such as the Fourth Geneva Convention, which defines humanitarian protections for civilians in war zones and territories under military occupation—since article 1 of that convention declares that "[t]he High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances." But the US and Canada, and many other countries, have failed to live up to this commitment. Israel's systematic violations of the Fourth Geneva Convention have been repeatedly documented by UN agencies and human rights organizations like Amnesty International and Human Rights Watch—but these countries have failed to take any corrective action.

Not content with a merely passive betrayal of international law, Canadian politicians have allowed themselves (as will be shown below) to be co-opted into a project aimed at subverting international humanitarian law, and at moving incrementally—through the activities of the Canadian Parliamentary

¹² For Conservative denunciations of Israeli Apartheid Week as hate-mongering (and therefore, by implication, as falling under the hate propaganda provisions of sections 318 and 319 of the Criminal Code), see *Hansard* (Canada. House of Commons). For the Liberal position, see Ignatieff; O'Keefe; and Trudeau. For the NDP's stance, see Wilt.

Coalition to Combat Antisemitism, through diplomatic and administrative actions of the Harper government, and through legislation such as Bill C-13 and C-51—towards a criminalization of Palestine solidarity activism. Whether through ignorance or malice, many politicians are prepared to launch accusations of incitement of hatred against citizens whose crime is that they have sought to uphold the law.

Similar ironies are apparent in the repeated attempts of university administrators to obstruct or to suppress BDS and IAW initiatives.¹³ One such episode can illustrate the pattern. In February 2014, a student referendum at the University of Windsor resulted, by a substantial majority, in a decision to support the international BDS campaign. In the midst of a chorus of angry responses by supporters of Israeli policy, Dr. Alan Wildeman, the university’s President and Vice-Chancellor, pressured the student union to suppress the results of this referendum.¹⁴

On March 12, 2014, I wrote to Dr. Wildeman, proposing that he was violating the principle of academic freedom, which implies both a commitment to humane and rational discourse aimed at determining and disseminating truths, and a responsibility

to act in defence of members of the university community who are subjected, from within the university or outside it, to discourse that violates those standards and that commitment to truth—by, for example, having recourse to smears, defamation, and *ad hominem* attacks. . . .

I would ask you to consider whether you are living up to this responsibility. The international struggle in support of the rights of Palestinians is one of the great moral issues of our time. It is not an edifying spectacle when a university president obstructs students who are engaging, civilly, humanely, and rationally in that struggle.

I do not ask you to take my word as to the moral import of this struggle. Take instead the word of one of Israel’s most distinguished sociologists, Eva Illouz. . . . Professor Illouz proposed in a long essay published in the newspaper *Haaretz* on

¹³ In 2007, the presidents of twenty Canadian universities condemned the UK University and College Union (UCU) for having voted to ask its local organizations to consider a Palestinian request for a boycott of Israeli academic institutions (“Statements”). Some have since sought to obstruct BDS and IAW meetings on their campuses: see “Issues/Cases” (e.g., 2008-2009: “University of Ottawa: Political Cartoon Censorship,” or “Carleton University: Political Cartoon Censorship”); Baglow; and Schofield. For other instances of repressive actions against students and faculty in Canada and the US, often based on false accusations amplified by external agencies like B’nai Brith Canada, the ADL, and Campus Watch, see Keefer, *Antisemitism Real and Imagined* 215-31; and Abunimah 169-225.

¹⁴ See “Independent Jewish Voices Weighs in”; and “Were Students’ Rights.”

February 7, 2014 that the 19th-century anti-slavery debate in the United States provides a useful analogue to help us understand the present-day debate over the morality of Israel's treatment of the Palestinians, which . . . has divided Jews both in Israel and internationally. In that essay, to which she gave the resonant title “47 years a slave,” Professor Illouz argues that Palestinians under Israeli occupation are living in what amounts to “conditions of slavery.”

[This] essay, together with the work of other distinguished Jewish public intellectuals . . . , refutes any claim that profound and systematic critiques of Israeli policies and structures of governance can be dismissed as antisemitic.

You accept at face value the statements of some members of your academic community that they feel “threatened” by the outcome of the student referendum, and you appear to regard this as a reason to invalidate it. I would propose that . . . such claims to victim status should be rejected—gently, but firmly—as attempts to infantilize universities, which are or should be places for adult discourse.

It is easy to understand how shocked and saddened a student can be who has grown up thinking of Israel as a great good place, and then discovers that there may be compelling reasons to think otherwise. But the intellectual and moral growth of university students often includes moments of painful cognitive dissonance and dislocation. One should treat such students sympathetically, while at the same time remembering that . . . these students are not in any sense victims of those who invite them to consider unfamiliar evidence and arguments; they are maturing adults.

The real victims are the Palestinians subjected by the state of Israel—with the Canadian state's full complicity—to what Eva Illouz calls “conditions of slavery.” These are the people to whom the BDS movement brings support and solidarity, and whose oppression it seeks by peaceful means to end. (“Prof. Michael Keefer’s Letter”)

This letter received no response, public or private.

4. ORGANIZATION OF THE ATTACK ON FREE SPEECH AND ACADEMIC FREEDOM

One key organizer of recent attacks on free speech and academic freedom has been Irwin Cotler, Professor of Law at McGill University and Minister of Justice in the Liberal government of Paul Martin from December 2003 until early 2006. The trajectory of Cotler’s career is ironic: a lawyer who made a name for himself as a defender of human rights has declined, due to his uncritical support for Israel, into an opponent of international humanitarian law, which—because it prompts opposition to the state of Israel, described by Cotler as a “civil religion”—he has denounced as a perverse competing form of religion. The Shoah has been a constant if unspoken reference-point in

Cotler’s writings; given the degree to which it prompted post-World War II developments in international humanitarian law, there is an element to Cotler’s trajectory that is implicitly tragic.

In December 2001, Parliament approved the Anti-Terrorism Act (Bill C-36), which contained provisions for pre-emptive arrests, secret trials, and expanded policing powers. As one critic wrote, its definition of terrorist activity encompassed legitimate armed resistance to state repression: “Had this same legislation been in place in the not-so-distant past, Nelson Mandela, the African National Congress and their supporters in Canada would have been branded as terrorists. If passed unamended, Bill C-36 will curtail legitimate dissent in Canada and provide comfort to the leaders of foreign states that repress the rights of their own or other populations” (Booth).¹⁵

Irwin Cotler has been unfairly blamed for this bill: he became Minister of Justice in Paul Martin’s Liberal government two years after it was passed, and in that role proposed to establish an oversight committee, a measure that lapsed when the government fell in November 2005 (Easter and Cotler). However, his argument that Bill C-36 advanced the human rights of victims of terrorism was an important part of the government’s defence of this bill, outweighing the counter-argument that “[w]e do both victims and the criminal law a disservice when we use victims as a reason for not respecting the rights of the accused” (Roach, *September 11* 80-82, 82).

Despite his reputation as a human rights activist, Cotler has devoted a significant proportion of his energies to the apparently conflicting project of engaging in *hasbara* on behalf of Israel—a foreign state that does indeed repress the rights of a subject population.

In August 1984, following Israel’s 1982 invasion of Lebanon, which culminated in the massacre of several thousand Palestinians in the refugee camps of Sabra and Shatila, the American Jewish Congress sponsored a conference in Jerusalem on *Hasbara: Israel’s Public Image: Problems and Remedies*.¹⁶ Irwin Cotler spoke in a discussion session of “two incidents which have had serious implications for Hasbara matters here, and which during the war in Lebanon had a serious impact in Canada”: the Israeli detention of a

¹⁵ Amendments narrowed the bill’s definition of terrorist activity “to exclude unlawful, as well as lawful ‘advocacy, protest, dissent, or stoppage of work,’” and “an element of *mens rea*, or guilty intent, was added to the requirements for criminal responsibility for a terrorist offence” (Mazer). But as Roach observed, “even the American Patriot Act expressed a greater concern about the dangers of [racial] profiling than the Canadian Anti-terrorism Act did” (Roach, *September 11* 73).

¹⁶ The Hebrew word *hasbara* means “explanation,” but also, as some of the participants in this conference quite explicitly acknowledged, “propaganda.”

Canadian doctor, Christopher Giannou, “who worked with the Red Cross in Sidon” and in a subsequent press conference “describe[d] Israeli atrocities committed against Palestinian detainees”; and the seizure of documents from Canadian Ambassador Theodore Arcand, who in 1982 had been the last ambassador to leave Beirut, and who before his departure gave briefings for reporters at the Commodore Hotel which were “not terribly complimentary to the Israeli position” (*Hasbara* 24).

Someone with Cotler’s expertise might well have recommended ways in which Israel could avoid future violations of human rights and international law. But showing no interest in the substantive issues at stake, he smeared Arcand by suggesting that in his press briefings this diplomat served as “a kind of spokesman for the PLO,” and his only concern with respect to the atrocities alleged by Dr. Giannou was that “[t]o date, no one has provided an authoritative rebuttal to [him] and his stories.” These incidents, Cotler said, “point to a need for Israel to make *Hasbara* a priority” (*Hasbara* 24).

Nearly two decades later, having in the interim engaged in human rights advocacy on behalf of detainees including Natan Sharansky and Nelson Mandela, Cotler launched an initiative designed to give priority to *hasbara*: in January 2002 he co-founded, with Israel’s Deputy Foreign Minister Rabbi Michael Melchior and a former Deputy Prime Minister of Sweden, an organization to be called the International Commission for Combatting Anti-Semitism (ICCA). As journalist Michael J. Jordan observed, this was a response to the outbreak of the Second Intifada in September 2000, and to the 2001 UN World Conference Against Racism held in Durban, South Africa, which had intensified Israel’s “battle for world opinion” (Jordan).

According to Melchior, the ICCA would “differ from other Jewish efforts because it would be comprised primarily of prominent non-Jews”; “in as many countries as possible,” it would “raise public awareness of anti-Semitism and take an active role in lobbying, advocacy and education” (qtd. in Jordan). Professor Cotler would “provide much of [its] ideological underpinning.” Jordan quoted from the draft version of an essay Cotler published later the same year: “In a word, classical anti-Semitism is the discrimination against, or denial of, the right of Jews to live as equal members of a free society; the new anti-Semitism—sometimes characterized as ‘anti-Zionism’—involves the discrimination against, denial of, or assault upon, the right of the Jewish people to live as an equal member of the family of nations . . .” (Jordan). The ICCA’s governing trope, then, would re-define critiques of Israel as a “new” antisemitism, so that they could be reconfigured as incitements of racial hatred.

In the published version of his essay on “Human Rights and the New Anti-Jewishness: Sounding the Alarm,” Cotler declared that:

To the extent that Israel has emerged as the ‘civil religion’ of world Jewry—the organizing idiom of Jewish self-determination—this new antisemitism is a per se assault, in contemporary terms, on the religious and national sensibility of the Jewish people. . . . In each instance the essence of antisemitism is the same—an assault upon whatever is the core of Jewish self-definition at any moment in time—be it the Jewish religion at the time of classical antisemitism, or the State of Israel as the ‘civil religion’ of the Jewish people under this new anti-Jewishness.

He called the “demonizing” of Israel “the contemporary analogue to the medieval indictment of the Jew as ‘the poisoner of the wells.’ In other words, in a world in which human rights has emerged as the new secular religion of our time, the portrayal of Israel as the metaphor for a human rights violator is an indictment of Israel as the ‘new anti-Christ’—as ‘the poisoner of the international wells’ . . .” (Cotler, “Human Rights”). Cotler thus offered readers a stark confrontation between two civil or secular religions: the state of Israel, and the discourse of human rights, which he claimed demonizes Israel just as medieval Christianity had perversely demonized Jews and Judaism.

In 2005, Norman G. Finkelstein showed that the so-called “new antisemitism” is in fact “neither new nor about anti-Semitism” (21). The intention of the leaders of the US Anti-Defamation League who invented the term more than four decades ago was “not to fight anti-Semitism but rather to exploit the historical suffering of Jews in order to immunize Israel against criticism”; their target was “criticism directed against Israel after the October 1973 war, when new pressures were exerted on Israel to withdraw from the Egyptian Sinai and to reach a diplomatic settlement with the Palestinians” (Finkelstein 22, 24). Further iterations of this ideology have worked since 2001, Finkelstein writes, to stir up a “calculated hysteria” whose “overarching purpose, like that of the ‘war on terrorism,’ has been to deflect criticism of an unprecedented assault on international law” (45).¹⁷

But it was for other reasons that Cotler’s 2002 initiative failed. Its proposed structure was grandiose—with offices in Geneva, Israel and the US, a proliferation of honorary presidents, executive and advisory committees, and a General Council of eighty “leading figures of outstanding moral stature” drawn from the ICCA’s national branches (“International Commission”). Funding was not forthcoming. Abraham Foxman, director of the US Anti-Defamation League, found the project too obviously run by the Israeli government, and told Jordan that Israel ““shouldn’t put itself in a position that

¹⁷ Finkelstein’s very important analysis is updated and in some respects extended by Keefer, *Antisemitism Real and Imagined* 207-59 (see the final chapter “Desperate Imaginings: Rhetoric and Ideology of the ‘New Antisemitism’”).

jeopardizes [its] relations” with the countries in which the ICCA would be working, “especially when there are Jewish groups ready to do the dirty work, he added” (Jordan).¹⁸

This project’s failure may have suggested to Cotler a simpler structure made up of coalitions of parliamentarians, linked by an agency with himself at its head, who would have their national assemblies conduct inquiries into the “new antisemitism”—which is also to say, into the problem of popular mobilization against the occupation policies of the state of Israel.

Thus, in November 2005, an all-party British parliamentary inquiry into antisemitism was launched; its report, published in September 2006, elicited a response from the UK government in March 2007. In February 2009, a reconstituted ICCA, re-named the Inter-Parliamentary Coalition for Combating Antisemitism, held its first conference in the galleries of the Wallace Collection in London. With no formal structure beyond a six-member Steering Committee chaired by Cotler, and with funding from the UK government and a British charitable foundation, its only obvious link to the government of Israel was through the presence on that committee of Yuli Edelstein, Minister of Public Diplomacy and Diaspora Affairs. Together with Jason Kenney, Canadian Minister of Citizenship, Immigration and Multiculturalism, Cotler led eleven Canadian MPs to the ICCA’s London meeting. This group became the nucleus of the Canadian Parliamentary Coalition to Combat Antisemitism (CPCCA), an *ad hoc* assembly of twenty-one MPs which on June 2, 2009, announced its intention of conducting an inquiry into the purported resurgence of antisemitism in Canada.

The second-iteration ICCA defined its purpose with a declaration whose echoes of Cotler’s essay “Human Rights and the New Anti-Jewishness” proclaim its authorship:

The world is witnessing today an escalating, sophisticated, global, virulent and even lethal antisemitism, that is arguably without parallel or precedent since the end of the Second World War.

This escalation and intensification underpins—indeed necessitates—the establishment of an international coalition to confront and combat this oldest and most enduring of hatreds. Silence is not an option. The time has come not only to sound the alarm—but also to act. (“About the ICCA”)

Decent people should oppose all forms of racial and ethnic hatred, including antisemitism. But Cotler’s opening sentence is misleading. Israel’s violent

¹⁸ I have reproduced Jordan’s text exactly: he attributes the indiscreet phrase about “dirty work” to Foxman, but since he does not place the words in quotation marks, they may be his own paraphrase.

oppression of the Palestinians has fuelled antisemitism—especially when accompanied by routine statements of support from mainstream Jewish organizations in Western countries. But most scholars who do evidence-based critical research within the disciplines of the human sciences would dismiss Cotler’s comparison to the period of the Shoah and the persecutions that preceded it as a sign either of advanced paranoia or of fear-mongering.¹⁹

The CPCCA made similar claims in the summer of 2009, declaring that “[t]he extent and severity of antisemitism is widely regarded as at its worst level since the end of the Second World War,” and “[a]ntisemitism is being manifested in a manner which has never been dealt with before”—a proposition clarified by the assertion “that anti-Zionism is being used as a cover for antisemitism” (qtd. in Keefer, *Antisemitism Real and Imagined* 165). Further cause for alarm was found in claims that Jewish students are regularly intimidated on Canadian university campuses, and in the purported circulation of the blood libel—accusations of ritual murder that were used to stir up mob violence against Jews in medieval and more recent pogroms, but that may here be alluding to journalists who had denounced news reports of atrocities committed against Palestinians by the Israeli army as blood libels (Kay, “Here Is the Difference”; Phillips; Keefer, *Antisemitism Real and Imagined* 165-66).

These ventures were ill-timed. The ICCA’s London Declaration, whose signatories promised to expose, challenge, and isolate political actors who single out or target the state of Israel, was published in the immediate wake of Operation Cast Lead, Israel’s December 2008-January 2009 assault on Gaza, which had devastatingly targeted every aspect of Gaza’s civilian infrastructure, and had killed over 1,400 people—more than 100 times the number of Israeli casualties. Since these acts were condemned by every human rights organization that studied the evidence, politicians who took no notice of them while framing the London Declaration might be accused of moral blindness.

Professor Cotler showed more clearly the degree to which he valued *hasbara* over human rights when in August 2009 he published two preemptive attacks on the forthcoming report of a UN fact-finding mission headed by Judge Richard Goldstone (Cotler, “The Goldstone Mission – Tainted to the Core” and “The Goldstone Mission – Tainted to the Core (II)”). In the first, he asserted that Goldstone had accepted a biased and unbalanced mandate from the UN Human Rights Council—a claim refuted by Kenneth

¹⁹ For my assessment of recent trends in the prevalence of antisemitism, based on analysis of police statistics and government survey data in Canada, the UK, and France, as well as the records of antisemitic incidents kept by the UK Community Security Trust and by B'nai Brith Canada, see Keefer, *Antisemitism Real and Imagined* 165-205.

Roth, executive director of Human Rights Watch; in the second, he recycled Israeli propaganda, including claims that Hamas had started the fighting and used civilians as human shields. But, as historian Avi Shlaim shows, the violence was initiated by Israel; and the Goldstone report provides evidence that the IDF rather than Hamas had used human shields (Roth; Shlaim 313; Goldstone et al. 406-08, 449-51, 465-88, 494).²⁰

In the introduction to *Antisemitism Real and Imagined*, published in April 2010, more than a year ahead of the CPPCA's final report, I said of the CPCCA that:

This group's self-defined terms of reference make clear its intention to brand criticism of the state of Israel within Canadian universities and the media as antisemitic, and hence as an incitement to hatred. The aim is apparently to help create a climate of opinion . . . within which criticisms of the state of Israel's violations of the *Geneva Conventions* and international humanitarian law, and its ongoing illegal appropriations of Palestinian land, water, and natural gas resources, can be redefined as antisemitism, stigmatized as incitements of hatred, and perhaps even prosecuted under section 319 of the Canadian *Criminal Code* and section 13(1) of the Canadian *Human Rights Act*, or else summarily silenced by judicial warrants of seizure issued under section 320 of the *Criminal Code*. (7-8)²¹

Despite the CPCCA's announcement of conclusions before conducting its inquiry, its exclusion of critical voices from the oral testimony, and the recurrence of Cotler's own voice (as *ex officio* member of the CPCCA's Steering Committee and its Inquiry Committee, and as Chair of the ICCA), its oral hearings were a fiasco—as was made clear by an incisive critique released

²⁰ Cotler's more recent initiatives continue to prioritize *hasbara* over human rights. In 2015, ignoring the fact that there has already existed, since 1984, a Raoul Wallenberg Institute of Human Rights and Humanitarian Law, which has multiple affiliations with Swedish research and international development agencies, UN agencies, and international networks of academic and human rights institutes, Cotler founded a competing Raoul Wallenberg Centre for Human Rights. Its honorary co-chairs include the late Elie Wiesel and Meir Shamgar, former president of Israel's Supreme Court, and its primary goals seem closely aligned with Israeli foreign policy: to press for a continuation of sanctions against Iran, even following the withdrawal of Security Council sanctions in the wake of Iran's nuclear agreement with the US (Lungen), and to press for action against Russia in the Magnitsky case, although there is evidence that Magnitsky and his employers were in fact involved in large-scale corruption (Doctorow).

²¹ The book contributed to resisting this project by putting texts by eleven human rights scholars and activists who had been excluded from the CPCCA's oral hearings into public circulation, together with texts by seven human rights organizations that had likewise been excluded.

in May 2010 by the Toronto-based Palestine Freedom of Expression Campaign.

The hearings began with witnesses flown in from the UK, the US, Germany, and Israel, who “buttress[ed] the contention that Canada and the West are in the throes of a wave of anti-Semitism of a new kind and that Canadian campuses were breeding grounds for this new form of race hatred” (*Silencing Criticism* 9). But the story of a surge in antisemitism was not supported by the testimony of police officials, and attempts to blame universities for it were refuted by more than a dozen senior administrators who denied that Canadian campuses are “hotbeds of antisemitism or racism of any kind” (*Silencing Criticism* 9). In its final report, issued in July 2011, the CPCCA declared that these administrators “exhibited little knowledge about the events we have understood to spark the most antisemitism,” and that those who refused to recognize antisemitism as a problem on their campuses were “failing in their duties to protect all students” (*Report* 60).

The same McCarthyist reflex appears elsewhere in the CPCCA's report. Some critics—myself among them—had objected to announcements of inflammatory conclusions before any evidence had been gathered. The CPCCA called this a “worrying example of the wilful attempt by a small minority to use sleight of hand techniques to justify and adhere to their own hateful agenda” (*Report* 13).

On November 7-9, 2010, the CPCCA hosted the ICCA's second conference on Parliament Hill in Ottawa. Independent Jewish Voices Canada held a press conference in Parliament Hill's Centre Block on the morning of November 8 to protest this event, and to launch a video, *Defend Free Speech: The threat is from the new McCarthyism, NOT the new Anti-Semitism*, which contains comments on the CPCCA by a dozen human rights activists. Invited to speak at this press conference, one floor above the hall in which the ICCA conference was taking place, I was glad of the opportunity to speak truth, if not directly to power, then at least in close proximity to it.²²

I said that the CPCCA-ICCA were meeting under false pretences, because these organizations were less concerned with real antisemitism than

with extending the definition of antisemitism to encompass any systematic critique of the state of Israel's violations of international law in its oppressive occupation and colonization of the Occupied Palestinian Territories. . . . [T]he

²² The IJV press conference, whose lead speaker was Diana Ralph, Co-Chair of IJV's steering committee, received coverage from *Le Devoir*, the *Toronto Star*, the *CBC*, *The Globe and Mail*, the *Daily Herald-Tribune*, the *Hamilton Spectator*, the *Kitchener-Waterloo Record*, *The Jewish Chronicle*, and the *Daily Xtra*.

CPCCA is attempting to create a climate of opinion in which Canadian defenders of Palestinian human rights and exponents of the universal principles of international law can be smeared as disseminators of hatred. . . .

Contesting that rhetoric, I emphasized that

criticism of Israeli policies, and support for peaceful pressure to bring Israel into conformity with international law through a campaign of boycott, divestment, and sanctions, do not mean being “against” Israel. The great English poet William Blake said, “Opposition is true friendship.”

It is not an act of friendship to encourage Israel's passage down a darkening path of violence, oppression, and illegality. Nor are we friends to ourselves if we permit our own government to continue its disgraceful complicity in the oppression of the Palestinians.

5. FURTHER MANEUVERING AGAINST FREE SPEECH: THE HARPERITE BILLS C-13 AND C-51

The appetite of the Harper government for decisive action against BDS, IAW, and other expressions of Palestinian solidarity was not dampened by the CPCCA's failure to produce results that could justify punitive legislation.

By the beginning of 2014, BDS was enjoying major successes, with important pension-fund divestments from corporations complicit in Israel's illegal occupation of Palestinian territories (Deas; “Major”; “Veolia”; and Winstanley). In early February 2014, *The Economist* noted that BDS “is turning mainstream” (“Sanctions”), and former Knesset Speaker Avraham Burg wrote in *Haaretz* that the “BDS movement is gaining momentum and is approaching the turning point . . . [at which] sanctions against Israel will become a fait accompli” (Burg).

In response, Prime Minister Benjamin Netanyahu and the hard right-wing members of his cabinet proposed to bolster surveillance of pro-BDS organizations, take legal action against BDS boycotters, and “encourag[e] anti-boycott legislation in friendly capitals around the world, such as Washington, Ottawa and Canberra” (“Israeli Ministers”; see also Keinon; Ronen). Political elites had already been reacting in what seems a coordinated manner. The Australian government had threatened in June 2013 that “supporters of an academic boycott of Israel” would have their “access to public research funds summarily cut off” (Lynch); while in Washington, an ironically-named bipartisan “Protect Academic Freedom Act,” which proposed to deny federal funding “to colleges and universities that participate in a

boycott of Israeli academic institutions or scholars,” was brought before Congress in February 2014 (Ghazali). In France, it was reported that some twenty BDS activists had been convicted over the previous four years on charges of inciting racial hatred (“BDS a Hate Crime?”).

In 2006, the newly-elected Harper government had made Canada one of the first countries to join the Israeli blockade of Gaza; and in 2009-2010, it withdrew funding from the United Nations Relief and Works Agency (UNRWA), which provides food, medical, and educational assistance to Palestinian refugees throughout the Middle East, and from NGOs such as the church-supported Kairos, which it also abusively accused of antisemitism (Keefer, *Antisemitism Real and Imagined* 10-11).²³

In 2014, the Harper government reiterated its fealty to Israeli policies of apartheid and colonization. Stephen Harper delivered a speech to the Knesset on January 20, 2014, that combined unctuous self-congratulation (“This is a very Canadian trait, to do something for no other reason than that it is right. . . . It is a Canadian tradition to stand for what is principled and just, regardless of whether it is convenient or popular”) with third-hand rhetoric about the new antisemitism (Harper; see Keefer, “Criminalizing Criticism”). Two days later, Canada and Israel signed a “Strategic Partnership Memorandum of Understanding,” which included a declaration that serious criticisms of Israel “violate core international principles, are at odds with Canadian and Israeli values of tolerance and mutual respect, and prevent meaningful dialogue” (“Canada-Israel”); and Steven Blaney, Minister of Public Safety, told a meeting on antisemitism at the UN General Assembly in New York that “Canada has taken a zero-tolerance approach to anti-Semitism and all forms of discrimination including rhetoric towards Israel, and attempts to delegitimize Israel such as the Boycott, Divestment and Sanctions movement” (Leung).

Legislative action was also taken. Given first reading in the House of Commons in November 2013, Bill C-13, the Protecting Canadians from Online Crime Act, became law in October 2014. In an analysis of this legislation that Independent Jewish Voices Canada and the Seriously Free Speech Committee jointly submitted to the parliamentary committee charged with studying this bill, I argued that it contained a “hate-propaganda Trojan horse” intended “to enable lawfare prosecutions of human rights activists in precisely the manner desired by Mr. Netanyahu and his associates.” The BDS prosecutions in France had been made possible by the so-called Lellouche Law, which in 2003 revised the French *Code pénal*, purportedly in order to

²³ For sobering accounts of the Harper government’s across-the-board extremism, see books by two leading Canadian journalists: Harris; and Martin; also Jeffrey; and Bourrie.

increase the penalties for racially-motivated acts of violence; similar revisions, likewise incorporating “nations” into the definition of victims of public incitement of hatred, figured in Bill C-13 as house-cleaning measures in an act whose supposed primary aim was to put an end to cyber-bullying. The point in both cases was to align hate-crime legislation with the ideology of the new antisemitism (Keefer, “Criminalizing Criticism”).

Announced in January 2015, Bill C-51, the Harper government’s Anti-Terrorism Act, made a direct attack on free speech and pro-Palestinian human rights activism. This bill criminalizes “activity that undermines the security of Canada”—a category incorporating, in addition to terrorism, eight other kinds of behaviour. These include “interference with the capability of the government of Canada in relation to intelligence, defence, border operations, public safety, the administration of justice, diplomatic or consular relations, or the economic or financial stability of Canada” (2.[a]); “unduly influencing a government in Canada by . . . unlawful means” (2.[b]); “covert foreign-influenced activities” (2.[c]); “interference with critical infrastructure” (2.[f]); “an activity that causes serious harm to a person or their property because of that person’s association with Canada” (2.[h]); and “an activity that takes place in Canada and undermines the security of another state” (2.[i]) (Bill C-51).

As its critics have shown—among them four former prime ministers, five former Supreme Court judges, more than a hundred law professors, who signed letters exposing the dangers of the bill, and seventy-five labour, civil rights, student and community-based organizations which signed a statement opposing the threat to criminalize criticism of Israel (“IJV-Initiated Statement”)—Bill C-51 isn’t really about terrorism: it’s about smearing other activities by association, and suppressing them in ways that would formerly have been illegal. The bill targets people who defend the treaty rights of First Nations, who oppose tar sands, fracking, and bitumen-carrying pipelines as threats to health and the environment, and who urge that international law be peacefully applied to ending Israel’s illegal occupation of Palestinian territories.

BDS advocacy is centrally targeted: it could be smeared as a “covert foreign-influenced activit[y]” (sec. 2.[c]) intended to “unduly influenc[e]” the Canadian government by “unlawful means” (2.[b]), and to “undermine the security” of the state of Israel, thereby activating section 2.(i); and section 2.(h) could give force to complaints over financial and reputational losses on the part of businesses with dealings in Canada that profit from the Israeli occupation (Keefer, *Hard Truths* 72-76).

Moreover, section 42 of the bill empowers CSIS agents to obtain secret warrants permitting them to supplement disruptive actions against people they perceive as “a threat to the security of Canada” with acts that directly violate

the Charter of Rights and Freedoms and other Canadian laws—the only constraints being that they “shall not (a) cause, intentionally or by criminal negligence, death or bodily harm to an individual; (b) wilfully attempt in any manner to obstruct, pervert or defeat the course of justice; or (c) violate the sexual integrity of an individual” (Bill C-51, sec. 42).

The second of these prohibitions—occurring in the midst of a bill that seeks to obstruct citizens in the exercise of their rights, pervert justice, and defeat democracy—might almost seem the work of a satirist. The other two amount to an authorization of torture. In February 2015, Matthew Behrens noted that these clauses recall “the bone-chilling justification of torture” in the infamous memos of George W. Bush’s Justice Department (Behrens); and legal experts have observed that the “limited exclusions” in these clauses “leave CSIS with incredibly expansive powers, including water boarding, inflicting pain (torture) or causing psychological damage to an individual” (Ruby and Hasan). As I have remarked elsewhere, the torture methods made permissible by Bill C-51 are among those pioneered by CIA research during the 1960s and prominently featured in the torture gulag of the ‘War on Terror’: sleep and sensory deprivation (both of which induce psychosis, without leaving physical marks), stress-position torture and waterboarding (which again leave no marks of “bodily harm”), and techniques of beating and pressure-point torture that produce excruciating pain without leaving visible traces (Keefer, “Harper’s Anti-Terrorism Act”; *Hard Truths* 77-82).

6. CONCLUSION: LEGISLATORS AGAINST PALESTINIAN SOLIDARITY

It would be a mistake to suppose that the 2015 electoral defeat of Stephen Harper’s Conservatives, the most radically right-wing government in Canada’s history, has brought “sunny days” in quite the manner anticipated from our new prime minister, Justin Trudeau. Trudeau’s Liberal Party is also the party of Irwin Cotler—who though now retired remains influential. Bill C-51 remains in force, and the Conservatives retain their Zionist fervour: in February 2016, they pushed a motion condemning the BDS movement through a sparsely-attended House of Commons, and in May 2016, the Ontario Conservatives put forward “The Standing Up Against Anti-Semitism Act,” which aspired to imitate punitive anti-BDS legislation that has been passed by state legislatures in New York, New Jersey, and nine other US states (Kane).

The first of these measures was inconsequential (“Independent Jewish Voices Slams”); the other was rejected on second reading (Keefer, “Canada’s Pro-Israel Lobby”), and mocked by University of Toronto political scientist

Nelson Wiseman with derisive questions: “Did anyone run on this? Was this part of anyone’s platform?” (Shefa). But the same article that reported this mockery also revealed Ontario Premier Kathleen Wynne’s willingness to work towards a condemnation of BDS that her Liberal party and the Conservatives could both support.

These episodes testify to a dismaying gap in knowledge and understanding. There is a taboo within the Canadian media against describing Israel’s system of separation, domination, and control as “apartheid”—even though South Africans like Desmond Tutu and Ronnie Kasrils have not hesitated to make the comparison, and Israeli journalists have routinely acknowledged that their country has, in the words of a *Haaretz* editorial, “a dual regime of democracy for Jews and apartheid for Palestinians” (“The Real Existential Threat”; see Keefer, *Hard Truths* 14-18).

The essay of Eva Illouz that I mentioned in my letter to Alan Wildeman of the University of Windsor suggests that Israel’s oppression of the Palestinians has degenerated beyond apartheid into something worse—which she describes by reference to the work of leading scholars of slavery. How much worse? When Illouz writes that a religiously-inflected extremism formerly current only among hard right-wing settler groups has become mainstream, and that “Israel is dangerously sailing away from the moral vocabulary of most countries of the civilized world” and “no longer speaks the ordinary moral language of enlightened nations” (Illouz), she may be pointing to something beyond the obvious fact that a majority of Israelis approve of violently discriminatory treatment of the Palestinians.

What might that something be? When all paths toward political compromise have been blocked or erased, with Western leaders acquiescing in the policies of an Israeli government some of them acknowledge to be extremist; when Gaza, with its ruined infrastructure and bombed-out sewage and water systems, is acknowledged by human rights agencies to be effectively uninhabitable; and when journalists working in Israel—among them Lia Tarachansky, Max Blumenthal, and Jonathan Cook—point to an increasing prominence of genocidal discourse and incitement (see Keefer, *Hard Truths* 40-62), then we are called upon to make an effort of moral imagination.

As Gideon Levy has written, “The boycott is a legitimate, non-violent means that has and is being used by numerous states, including Israel.” Israeli propagandists and their allies who decry BDS may enjoy temporary triumphs, he says, but “the hour of truth will come, and then all those who acted to criminalize the boycott will have to answer honestly: Who is the criminal here, what is the real crime and what have you done against it?” (Levy).

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