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# **Human Rights Revisionism and the Canadian Parliamentary Coalition to Combat Antisemitism**

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**ABSTRACT** This article focuses on the Canadian Parliamentary Coalition to Combat Antisemitism (CPCCA): a self-appointed group of parliamentarians dedicated to extinguishing what it calls “the new antisemitism.” Working from a Gramscian perspective, we identify key discursive strategies in coalition publications and testimony and argue that despite the CPCCA’s pretence to being a forum for liberal-pluralist debate, in fact it is engaged in an ideological reframing of human rights designed to restrict political debate. It does so, paradoxically, by drawing on the language of left-liberalism, which contrasts with recent ideological interventions aiming to secure the priorities of the neo-liberal state.

**KEYWORDS** Hegemony; Antisemitism; Human rights; Left-liberalism; Israel/Palestine; Discourse analysis

**RÉSUMÉ** Cet article porte sur la Coalition parlementaire canadienne de lutte contre l’antisémitisme, un groupe de parlementaires auto-désignés qui se consacrent à supprimer ce qu’ils appellent le « nouvel antisémitisme ». Dans cet article, nous avons recours à une perspective gramscienne pour identifier des stratégies discursives clés dans les publications et les témoignages de la Coalition et nous soutenons que, bien qu’elle se veuille un forum pour des débats libéraux-pluralistes, la Coalition s’engage au fait dans un recadrage idéologique des droits humains ayant pour conséquence la restriction de débats politiques. Elle le fait, paradoxalement, en empruntant le langage du libéralisme de gauche, qui offre un contraste par rapport à des interventions idéologiques récentes dont le but est d’assurer les priorités de l’état néolibéral.

**MOTS CLÉS** Hégémonie; Antisémitisme; Droits humains; Libéralisme de gauche; Israël/Palestine; Analyse de discours

On May 24, 2009, Canada’s Minister of Citizenship, Immigration and Multiculturalism told the Israeli newspaper *Haaretz* that the world is facing a “new anti-Semitism” (Ahren, 2009). Describing the threat as “even more dangerous than the old European anti-Semitism,” Jason Kenney explained that the new antisemitism “tries to hide behind anti-Zionism and is represented by a coalition of the far left in the West with extreme currents of jihadi Islam that seek the destruction of the Jewish nation.”

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Kenney's argument—that the definition of antisemitism be extended to include and therefore criminalize criticism of Israel—is the motivating assumption behind a recently self-appointed, multiparty, quasi-parliamentary coalition in Canada.

Between October 2009 and February 2010, the Canadian Parliamentary Coalition to Combat Antisemitism (CPCCA) held 10 days of hearings in Ottawa on the question of whether to expand the definition of antisemitism. The CPCCA had its answer from the start: its founding documents indicate that calls for boycott, divestment, and sanctions against Israel, as well as use of the term “Israeli apartheid,” must be criminalized.

This article argues that despite its pretence to providing a forum for liberal-pluralist debate over the protection of vulnerable groups, the CPCCA in fact represents forces within the political establishment seeking to ideologically reframe human rights in order to restrict discussion and debate. It traces the attempted reframing of dominant human rights ideals in and through the discursive strategies of select submissions to the inquiry. Our analysis reveals the ways in which, notwithstanding their illiberal character, these strategies draw upon the dominant left-liberal language of human rights and social justice in order to assert a pro-Israel politics that denies the legitimacy of the Palestinian struggle. Proponents of the CPCCA also deploy language that plays to Islamophobic sentiments as well as a fear of complexity and intellectual culture that “others” those who criticize Israel as irrational, extreme, and violent.

Norms and values, including conceptions of rights, are regularly contested and re-framed. This article demonstrates that in contrast to the dominant, relatively more expansive conception of human rights associated with the 1948 Universal Declaration of Human Rights (United Nations, 1948), the discursive strategies of the CPCCA advance a radically revised and restricted conception that would strengthen the rule of the state over and against the individual. Through these strategies, the CPCCA promotes a decidedly illiberal agenda in a relatively progressive, non-threatening, and thus more appealing, language.

At its inception, the CPCCA was composed of MPs from all four parliamentary parties. (The Bloc Québécois quit the coalition in March 2010, citing the CPCCA's pro-Israel bias [Buzzetti, 2010]). The coalition would be chaired by Conservative Scott Reid and vice-chaired by Liberal Mario Silva. Jason Kenney and Liberal MP Irwin Cotler would serve as ex-officio members (see Canadian Coalition to Combat Antisemitism, 2009c, for a list of committee members). Echoing Kenney's position on the new antisemitism, the CPCCA's founding assumption is that antisemitism is “at its worst level since the end of the Second World War ... [and] ... is being manifested in a manner which has never been dealt with before” (Canadian Coalition to Combat Antisemitism, 2009a). On its website, the CPCCA answers the question “What is the ‘new antisemitism?’” as follows:<sup>1</sup>

1. Antisemitism is an age-old phenomenon, yet it is always re-invented and manifested in different ways. For example, while accusations of blood libel are still being made against the Jewish people, instead they are being directed against the State of Israel, such that anti-Zionism is being used as a cover for antisemitism.

2. This problem is especially prevalent on campuses where Jewish students are ridiculed and intimidated for any deemed support for the “Nazi” and “apartheid” State of Israel, which is claimed to have no right to exist.
3. The problem is also exemplified by individuals and governments who call for the destruction of the State of Israel and its inhabitants. (2009a)

The argument is clear: although antisemitism can still be seen in overt expressions of hatred toward Jews, it has recently developed a covert wing—namely, anti-Zionism and protest against the state of Israel.<sup>2</sup>

### **What is the CPCA?**

Although it mimics familiar liberal-democratic forms, the CPCA is neither an official public inquiry nor a Royal Commission. It is not a parliamentary committee: despite being composed of 21 sitting Members of Parliament, the CPCA was not struck by Canada’s House of Commons or Senate, nor is it responsible to either chamber of Parliament. The source of the coalition’s funding is unclear, as is its process of selecting witnesses. Our requests for a list of all public submissions were ignored.

We do know this: The CPCA is the Canadian iteration of an international movement of parliamentarians working to cement the state of Israel’s privileged place in global politics. The coalition’s mandate commits the group to building upon “the foundations and recommendations of the February 2009 London Declaration passed at the first international conference of the Inter-parliamentary Coalition to Combat Antisemitism,” or ICCA (Canadian Coalition to Combat Antisemitism, 2009b). On the view of the ICCA (composed of 125 elected officials from 40 countries), “the old language of prejudice” against Jews is no different than contemporary political criticism of Israel. Among the London Declaration’s 34 resolutions is a demand that education authorities “protect students and staff from illegal antisemitic discourse ... including calls for boycott [against the state of Israel]” (Inter-parliamentary Coalition for Combating Antisemitism, 2009, res. 24). In light of the fact that the ICCA is an ad hoc body without jurisdiction over the peoples of any state, its work would need to be implemented by individual governments to carry legal force. The CPCA is the political vehicle working to criminalize criticism of Israel under the laws of the Canadian state in line with the vision of the London Declaration.

At the same time, however, the coalition’s existence and goals also speak to a perceived breakdown in popular support for Israel. Widespread beliefs about the necessity for the Israeli state to provide a sanctuary for Jews and the justification of its concomitant repression of Palestinian human rights appear to be losing traction among many (Cooper, 2010; Rubin, 2010; Sullivan, 2010). The intractability of the Middle East conflict, combined with mounting examples of massive Israeli aggression (most recently, the 2006 Lebanon invasion, the 2008-2009 “Cast Lead” assault on Gaza, and the 2010 attack on the Gaza Freedom Flotilla) and the growing resonance of the 2005 call by Palestinian civil society groups for a boycott, divestment, and sanctions (BDS) campaign against Israel, are all arguably responsible for the shift in popular consciousness. In the words of an Israeli think-tank report, these developments have fuelled a “delegitimization campaign” that has severely damaged Israel’s international standing (The Reut Institute, 2010).

Our article discusses what is at stake in the work of the CPCCA. We focus on written submissions to the inquiry because they represent carefully formulated arguments and language choices of respondents to the growing criticism of Israeli policies—arguments and language that are steeped in a familiar, left-liberal discourse emphasizing the values of human rights, equality, and self-determination. Yet, we argue, the submissions ultimately *revise* that discourse in the service of an essentially *illiberal* enterprise: namely, the criminalization of political criticism and the defence of a state (Israel) against an oppressed people (the Palestinians).

By “left-liberalism,” we refer to the political tradition that champions both individual liberty and (relative) equality of condition among people. It is distinct from “economic” or classic liberalism in its politics of “social citizenship” calling for public or governmental responses to inequalities generated by free-market capitalism. Certainly left-liberal rhetoric paints a much rosier picture of social life than what is seen in real-world inequalities within left-liberal nation-states. But accepted on its own terms—which we do in this paper because these are the terms of the dominant rights framework being attacked by the CPCCA—left-liberalism promotes ideals of individual freedom and social equality.

For 30 years after World War II, the left-liberal tradition arguably held sway over the political life of Western nations, giving rise to the welfare state (Broadbent, 2001; Eley, 2002). Critically, it also informed the conception of human rights that emerged in the 1948 Universal Declaration of Human Rights. John Humphrey, who authored the first draft of that document, described the Declaration as an attempt “to combine humanitarian liberalism with social democracy” (quoted in Broadbent, 2001, p. xvi). Consequently, official understandings of human rights are inscribed with the left-liberal values of universality and inherency, a point we discuss below.

Feminists, Marxists, and critical race theorists have rightly criticized left-liberalism for failing to address systematic forms of inequality maintained by liberal democracy (Bannerji, 2000; Eagleton, 2007; Razack, 2002). These traditions inform our own criticism of the ways in which liberal democracy masks and sustains class privilege, patriarchy, White supremacy, and other forms of social exclusion. Nevertheless, because definitions of human rights are always contested, we see the defence of existing (i.e., left-liberal) human rights as a necessary (albeit insufficient) aspect of the struggle to bring about a more just world. We are concerned about the ways in which the CPCCA threatens left-liberal conceptions of human rights and social justice not because we believe that the reigning rights framework is an end in itself or because we fail to problematize liberal democracy. Rather, we are concerned because the mobilizations and discussions entailed in the defence of basic liberal rights are crucial means through which broader struggles against inequality and a fuller, more comprehensive understanding of human emancipation can emerge (Eley, 2002; Foot, 2005; Luxemburg, 1971; Markoff, 1996).

### **The CPCCA and the formation of hegemony**

The CPCCA is best understood through a Gramscian lens as part of the state’s ongoing effort to secure hegemony. Hegemony, Gramsci (1971) insists, is an act of “leadership” that relies upon the capacity of the ruling bloc to win the “active consent of those over

whom it rules” (p. 244). The state is neither a neutral arbiter of competing interests, nor is it simply an administrative and coercive body. Although its power is always contested, the state is a complex manifestation of dominant interests portrayed as though it represents the interests of all (Clarke, 1983). It is fundamental to educating and shaping the consciousness of its citizens, both within the various fractions of the ruling class and within subordinate classes and groups (Green, 2002). Through its institutions, the state reaches into civil society in order to *convince* people to align their private (for example class-, ethnoracial-, gender-, and sexuality-based) interests with the interests of the ruling bloc or fraction. Yet, while the state leads by consent, such leadership occurs within a framework of domination. The coercive power of the law, police, and military is always there to enforce the reigning regime of common-sense and discipline upon those who contradict it. Coercion and consent are “moments within each other, theoretically distinct but really united as moments ... of a political hegemonic project” (Thomas, 2008, p. 154). By highlighting the state’s coercion/consent dynamic, a Gramscian approach to the CPCA helps to understand the coalition’s effort to shift hegemonic conceptions of human rights as a uniquely powerful force within a broader political struggle.

Despite its unofficial status, the CPCA is a component of the state in two senses. First, the coalition is composed of parliamentarians, resides at the seat of government, and represents itself as part of the formal state machinery. But a Gramscian conception of the state goes beyond political institutions to include “a dialectical unity of the moments of civil society and political society” (Thomas, 2008, p. 128). The CPCA is also a crucial node within what Gramsci called “the integral State”: the complex terrain whereupon civil society and political institutions forge a “network of social relations for the production of consent, for the integration of the subaltern classes into the expansive project of historical development of the leading group” (Thomas, 2008, p. 133).

The CPCA uses ostensibly liberal-pluralist practices and institutions to connect with and ultimately reframe common-sense notions about the meaning of anti-Semitism. However, it drastically departs from liberal-democratic politics in practice. Though clearly part of the “integral State,” the coalition is, somewhat inexplicably, an ad hoc, unofficial body—a “parliamentary” coalition without the blessing of Parliament. Its membership is stacked with MPs already largely sympathetic to political Zionism (the claim that the Israeli state is the pre-eminent representative of Jews and Judaism and has rights to the historic land of Palestine for that reason), and all but a handful of witnesses invited to testify before the coalition were proponents of the group’s proposed redefinition of antisemitism. The inquiry heard 72 of 150 submissions, yet neither the full list of submissions nor the terms of testimony selection are available for public scrutiny. One in four witnesses was drawn from the ranks of state institutions (members of Canadian police forces or parliamentarians), rather than civil society. Other witnesses—many of them lawyers, association directors, professors, students, and university administrators, as well as a handful of religious leaders, journalists/writers, and one trade unionist—represented their university programs and campus clubs, Jewish and other ethnocultural associations, synagogues, and churches, or simply themselves. Most participants were Canadian, but representatives from

American and Israeli universities and associations were also prominent. Key civil society groups critical of the CPCCA project—the Canadian Arab Federation, Faculty for Palestine, and the Seriously Free Speech Committee, to name but a few—were excluded from public hearings.

While claims of neutrality in any public inquiry or consultation are suspect (Squires, 2008), political bias is generally introduced in less explicitly illiberal ways. In this case, surprisingly blunt illiberal tactics help to insulate the coalition from the arguments it seeks to discount, and facilitate the coercive goals of this exercise in hegemony-making—that is, the criminalization of dissent. The London Declaration to which the coalition responds urges parliamentarians to “legislate effective Hate Crime legislation” (Inter-parliamentary Coalition for Combating Antisemitism, 2009, res. 12) to address local and cyber-manifestations of “new anti-Semitism” (ICCA, 2009, res. 13); to use the European Monitoring Centre on Racism and Xenophobia (EUMC, now called the European Union Agency for Fundamental Rights, or FRA) definition of antisemitism “to inform policy of national and international organizations and as a basis for training material for use by Criminal Justice Agencies” (ICCA, 2009, res. 17); and to have police “record allegations of hate crimes and incidents—including [new] antisemitism—as [a] routine part of reporting crimes” (ICCA, 2009, res.18). In sum, the CPCCA is not merely about articulating an ideal, a political vision, or a set of principles, but rather about seeking to restrict the ability of citizens to engage in particular forms of political critique—by their agreement if possible, by force if need be.

### **Methodology**

Our textual corpus consists of all material published on the CPCCA website. This includes the coalition’s terms of reference, frequently asked questions, press releases, transcripts of hearings, and written submissions from inquiry witnesses. Guided by Charmaz’s (2006) iterative approach to textual analysis, we subjected the 45 written submissions released by the CPCCA to three rounds of coding. During initial coding, we surveyed the full slate of texts with the purpose of identifying recurring themes and building a uniform coding schedule. Research memos written during initial coding helped to develop the 10-item coding sheet used in the second round, systematic coding. During the second round, each researcher coded half of the written submissions. Questions regarding inter-coder consistency were addressed collaboratively during frequent face-to-face meetings. Seale’s (2003) work on demonstrating reliability in qualitative analysis informed our third round of coding, in which themes emerging during the second round were quantified and counted.

Consistent with our theoretical interest in the CPCCA’s educative role, the bulk of our analysis focuses on testimony favouring the coalition’s political perspective. This includes the vast majority of submissions. Although a handful of witnesses questioned aspects of the CPCCA project, no more than three of forty-five thoroughly criticized the coalition’s terms of reference. Our heavy focus on pro-CPCCA submissions reflects the committee’s own unbalanced slate of witnesses.

The following sections analyze the prominent discursive strategies apparent in the CPCCA submissions and discuss their implications in terms of broader questions about the misappropriation of left-liberal ideals and revisionism of human rights discourse.

### **Discursive strategies: Analysis and discussion**

Before examining less obvious patterns in witness testimony, one clear and recurring theme among voices seeking to redefine the meaning of antisemitism must be stressed: namely, support for the London Declaration and the “Working Definition of Antisemitism” drafted by the EUMC in 2005. Moving beyond traditional definitions of antisemitism concerned with negative stereotypes about and acts of physical violence against Jews, the EUMC definition details numerous ways in which “antisemitism manifests itself with regard to the state of Israel” (European Monitoring Centre on Racism and Xenophobia, 2005). For example, the EUMC labels as antisemitic, “denying the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavor” and “applying double standards by requiring of [Israel] a behavior not expected or demanded of any other democratic nation.”

Of the 31 witnesses who implicitly or explicitly addressed the meaning of antisemitism before the CPCCA,<sup>3</sup> 26 agreed with this premise of the coalition’s work; that is, 84% argued that there is such a thing as a *new* antisemitism: “a *new* sophisticated, globalizing, virulent and even lethal Antisemitism” (Cotler, 2009, November 2, emphasis added) that “attacks primarily the collective Jews, the State of Israel” (Ahlmark in Cotler, 2009, November 2).<sup>4</sup> This view drives the argument that states must revise their definitions of antisemitism in ways that would criminalize the new threat. Although many witnesses who endorse the EUMC definition claim they are not against criticism of Israel in all cases, as we point out below, the distinction between legitimate and illegitimate criticism is deeply problematic.

The ability of the EUMC definition to silence pro-Palestinian protest is recognized by its advocates. For example, when Ruth Klein of B’nai Brith Canada argues for the “criminalization of boycotts against the Jewish State as discriminatory,” she adds that “such action would be well within the parameters of the EUMC’s Working Definition on Antisemitism ... since the anti-Israel boycott campaign singles out Israel alone, applying standards and stratagems not used against any other country” (2009, November 30). Other witnesses, although not referring to the EUMC by name, evoke and promote the spirit of the expanded definition of antisemitism. Taken together, the following six discursive strategies lay the ideological foundation from which EUMC advocates promote the adoption of an expanded definition of antisemitism within the Canadian state.

### **Conflation: (Re)Setting the terrain of human rights and social justice**

The primary discursive strategy deployed is that of conflation, through which witnesses establish the CPCCA enterprise (and thus, defence of the Israeli state) as an issue of human rights and social justice. This conflation takes two forms.

#### *Israel is the collective Jew*

Seventy-one percent of the documents addressing the definition of antisemitism equate the state of Israel with the Jewish people. Most often, this occurs in passing, as in references to the “Jewish State” (Rosenfeld, 2009, November 16), “Jews as a collective entity” (Bauer, 2009, November 16) or “the Jew among nations” (Cotler, 2009,



November 2). Occasionally, the substitution is made explicit. For instance, professor Kenneth Marcus refers to “new” antisemitism as “discourse” that “singles out Jews or the Jewish state for adverse treatment” and can be understood by invoking Adorno’s definition of antisemitism, “as long as the concept of Israel is substituted for ‘Jewish’ and ‘the Jews’” (2009, November 16). The conflation is also evident in a tendency to equate protest against Israel with protest against Jews. Klein does this when she criticizes anti-Israeli politics as the “newest variant of antisemitism, which seeks to deny Jews as a collective entity—alone of all peoples in the world—the right to self determination in their own homeland” (2009, November 30).

Depicting Israel as the “collective Jew”—a common feature of political Zionism, as Israel is purported to represent Jewish interests—is a worrying trend not least because it produces a circular logic of argumentation. If Israel is the collective Jew, criticism of Israel is *de facto* antisemitic. However, more significant than sloppy reasoning is the way in which this type of conflation facilitates a reframing of human rights.

In conflating Jews and Israel, submissions effectively “personify” or “humanize” the state: the state is presented as *embodying*, not just *representing*, Jewish people. With a simple discursive twist, these witnesses grant the state—an institutional entity with territorial authority—a basis on which to claim the protection and privileges of personhood (without the vulnerabilities that go along with that status). The conflation is clearer still when examining the language used to describe transgressions against the state. A few examples: to argue politically for dismantling the current state is to advocate “genocide” (Bauer, 2009, November 16); criticism that crosses the (antisemitic) line “vilifi[es]” (Benlolo, 2009, November 30) or “demoniz[es]” (Zelikovitz, 2009, November 16) Israel, or treats the state as a “pariah” (Bauer, 2009, November 16)—all terms typically applied to people, not institutions.

Yet, historically speaking, the concept of human rights and the fight to protect them has largely been a reaction to the abuses of individuals and groups by states (Eide, 1998; Levy & Sznajder, 2006). The notion of human rights stems from the belief that rights are *inherent* within every human being, and “the idea that each and every human being has rights ... is an unavoidably ontological statement—a statement about what or, better, who particular human beings are. It is a statement about what dignifies each of us—our immeasurable, irreplaceable uniqueness” (Lawler, 2009, p. 157). Although left-liberal rights discourse has been criticized for promoting individualism and inhibiting the development of collective consciousness (Tushnet, 1989), it is also recognized for providing essential protections to vulnerable groups (Eley, 2002), as well as the foundation for democratic struggle, including the BDS struggle against Israeli apartheid, which the CPCCA is attempting to stop (Foot, 2005; Markoff, 1996). States often claim the right to act in certain ways (for example, the right to defend themselves); however, states do not have recourse to *human* rights on account of the fact that states are not humans. Under the logic of conflation, however, the state of Israel becomes a bearer of human rights—rights that are inherent within the state and protect the state’s very integrity or existence, as well as its claim “to live” as an equal among nations, free from prejudice and excessive force. The left-liberal understanding of human rights as inherent within humans is threatened.

### *Guilt by association*

Considering the centrality of the so-called *new* antisemitism to the CPCCA's work, it is worth noting the frequency with which witness testimony refers to examples of the "old" anti-Semitism when discussing the ostensibly "new" problem. Of 28 submissions providing concrete examples of "new" anti-Semitism, 86% conflated instances of new and old anti-Semitism.

In treating as one what are in fact two separate phenomena, these submissions label political criticism of Israel antisemitic by virtue of its association with qualitatively different and unquestionably antisemitic occurrences. For example, when Dr. Manfred Gerstenfeld of the Jerusalem Center for Public Affairs slips from discussing "the boycott campaigns against Israel" to the actions of "Neo-Nazis," he is drawing an erroneous link between two fundamentally different groups with distinct political goals and methods. The purpose of this slippage is to invoke the idea of a wide-ranging "*postmodern total war*" against Israel and the Jews—a multidimensional campaign of hate that is part of a much larger "system" (2009, November 16, italics in original).

Cotler also places on the same continuum of hate "State-Sanctioned Genocidal Antisemitism" and "the boycott of Israeli goods" (2009, November 2). To Cotler these two actions are different but by a matter of degree. He and others hold that criticism of Israel gives licence to the emergence of more unctuous forms of antisemitism. It follows from this concern that those who criticize Israel must constantly articulate the *political* nature of that criticism and differentiate their position from racially motivated condemnations. Instead, the "slippery slope" argument is invoked as a rationale for shutting down or drastically narrowing political critique.

The coalition and its international allies dangerously mislead the audience when they conflate antisemitic hate—which is heinous and must be robustly challenged—and political criticism and debate. To paraphrase Mark Surchin, a self-identified Jewish lawyer and one of the few dissenting voices testifying before the CPCCA, conflating religious hate with criticism of Israel risks diluting the power and importance of the notion of antisemitism (2009, November 23). Similar views have been expressed by Jewish advocacy groups like Not in Our Name: Jewish Voices Opposing Zionism, Jewish Voice for Peace, and others. Pointing to the history of Jewish universalism (which rejected a national, political Zionist solution to antisemitism), Rebeck & Sears (2009) argue that "The deployment of anti-Semitism as an accusation to silence criticism of Israel is ... a serious setback in genuine struggles against anti-Semitism and other forms of discrimination" (p. A12).

Notwithstanding their errors of logic and history, both forms of conflation frame the project of expanding the definition of antisemitism, thereby criminalizing anti-Israeli protest, as a social justice issue. Numerous CPCCA proponents implicitly claim the legacy of the left-liberal Jewish resistance, associating themselves with anti-fascists, Soviet dissidents, and others as defenders of (Jewish) human rights and promoters of social justice, despite the fact that many of these, as Rebeck & Sears (2009, p. A12) argue, were anti-Zionists. The remaining discursive strategies accept these confluations and further revise the left-liberal discourse they draw upon.

### Language of (dis)proportionality: Singling out Israel

Sixty-eight percent of the submissions we examined portray criticism of Israel as anti-semitic insofar as Israel is “singled out” for more, and more negative, attention than other states. As we explain below, the language of (dis)proportionality contradicts one of the central pillars of left-liberal human rights discourse: namely, the notion that rights are “universal in their scope” (Beetham, 1999, p. 90).

Examples of the disproportionality critique in the written submissions to the CPCCA include United Nations statements condemning Israeli transgressions that ignore human rights abuses elsewhere, campus unions that focus political education on the Middle East conflict (Kaye & Ferman, 2009, November 16), and professors who exclusively discuss Israeli policies in their classes (Gerstenfeld, 2009, November 16). Also objectionable are those who ostensibly deny Jews the right to self-determination while upholding that same right for other groups.

This narrow application of the language of self-determination is another example of pro-CPCCA voices attempting to silence criticism of Israel by espousing a distorted form of left-liberal human rights discourse. CPCCA supporters portray the right to self-determination of a Jewish state in historic Palestine as lying outside the realm of legitimate debate, while ignoring that state’s role in preventing Palestinian self-determination. The concept of self-determination “concerns the right of a collectivity to exercise control over its own affairs” (Barnsley & Bleicker, 2008, p. 120). As stated in the Charter of the United Nations, a central purpose of the UN is “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples” (quoted in Wright, 1999, p. 606). However, in addition to referring to the right of groups, the concept of self-determination “provides one example of a group right that is a human right” and is, therefore, universal in nature (Mello, 2004, p. 193). In the post-World War II period, people struggling against systemic oppression have often appealed to the right of self-determination, and the International Court of Justice “has clearly espoused self-determination as a right that applies to peoples experiencing colonialism or other forms of foreign domination, such as annexation or occupation” (Barnsley & Bleicker, 2008, pp. 124-125).

Ironically, CPCCA advocates use the right to self-determination to *delegitimize* national struggles: namely, struggles of Palestinian activists and supporters. The concept of self-determination—historically associated with people living under occupation (Barnsley & Bleicker, 2008)—becomes a tool for attacking those who would criticize an occupying state. It is inevitable that Israel will be “singled out” when explaining its ongoing contravention of international law. Yet, at the CPCCA, to focus solely or disproportionately on Israel is considered “one-sided” (Troy, 2009, December 7), “unfair” (El Shafie, 2009, November 30), “inappropriate” (Kaye & Ferman, 2009, November 16), and evidence of a “double standard” at play (Benlolo, 2009, November 30).

However, it is not only the *exclusive* focus on Israel that witnesses consider disproportional. The objection to “singling out” is tied to concerns about *excessive* critique of Israel as well, including comparing Israel with a Nazi state and/or indicting it as an apartheid regime similar to South Africa (Marcus, 2009, November 16; Freiman & Farber, 2009, December 7). Referring to the EUMC document, Kenneth Stern of the Amer-

ican Jewish Committee writes, “The definition is clear that criticism of Israel is not antisemitism if it is ‘similar to that against any other country.’ In other words, people are free to criticize Israel ferociously, as they would the policies, programs, political leadership or actions or attributes of other states” (2009, November 23).

Not only is it difficult to know how one *can* criticize Israel, or any state, without singling it out, but making an “equal” case against multiple countries is impracticable. Political critique, mobilization, and change are rendered null and void.

Furthermore, the charge of disproportionality reframes left-liberal ideals of human rights. To suggest one can only hold Israel to a certain standard of justice if and when one holds all other states to the same standard is to suggest (Palestinian) rights are not universal in nature, not a good to be upheld in all cases at all times. Rather, the critique of Israeli violation of Palestinian rights is dependent upon, for example, equal and equally harsh criticism of the Chinese or Iranian state. Yet, in the words of the UN Universal Declaration of Human Rights (United Nations, 1948), rights themselves are not contingent but eternal: the “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” (Tambakaki, 2009, p. 9). Unlike citizenship rights, which are granted and restricted by the state, human rights “pertain to all human beings irrespective of membership in a political community” (Hayman, 2007, p. 399) and thus are valid in all circumstances. The case against disproportionate critique of Israel revises this left-liberal human rights tradition by rendering the defence of *some* people’s human rights dependent upon the equal defence of *all* people’s human rights. It makes human rights a *conditional* good, thereby rejecting their essential universality.

### **A chilly climate**

One of the most frequent concerns raised by CPCCA witnesses is that the new anti-Semitism has created “a climate of hate and intolerance” (Benlolo, 2009, November 30) in which Jews feel threatened on account of being Jews, “a climate which poses a security threat to Jews and Jewish institutions” (Baker, 2009, November 23). Eighty-eight percent argue that the new anti-Semitism has created a chilly climate for Jews in schools, businesses, unions, and human rights groups. The new anti-Semitism and the “poisoned environment” (Freiman & Farber, 2009, December 7) it creates is said to be especially severe on university campuses (Eltis, 2009, December 7; Kaye & Ferman, 2009, November 16).

In drawing on the concept of “chilly climate,” these testimonials reference a term that emerged in the 1970s and 1980s, during that era’s feminist struggles against male supremacy on university campuses (see Hall & Sandler, 1982).<sup>5</sup> The term was intended to point out that routine, albeit often inadvertent, forms of discrimination against women perpetuate longstanding systems of gender inequality: “Whether overt or subtle, differential treatment based on sex is far from innocuous,” goes the logic of chilly climate. “Its cumulative effects can be damaging not only to individual women and men students but also to the education process itself” (Hall & Sandler, 1982, p. 3). Significantly, evidence of harm within the chilly climate framework does not depend upon proving the existence of malicious intent. It involves acknowledging subjective claims of fear and unease. Yet, while the politics of chilly climate begins with the sub-

jective experience of the oppressed, it is informed by the broader socio-political relations within which subjectivity is experienced (Prentice, 2000). The sexist behaviour and practices that the “chilly climate” argument sought to end were objectionable not exclusively because they offended women, but because the exclusionary practices and discourses *reinforced existing socio-political inequalities*. This is where the parallel between the current situation (as described by CPCCA witnesses) and the legacy of feminist struggles against “chilly climate” breaks down. For the parallel to hold, we would need to accept the untenable claim that in the existing socio-political system, Israeli institutions and advocates of Israel are in a subordinate position to Palestinian institutions and advocates of Palestine.

We neither deny nor wish to discredit the idea that individual Jews may feel uneasy or fearful in the context of political debate about and denunciations of Israel. This would be an understandable response by those who see their identity as wrapped up in Israel’s fate. Our argument is that to interpret this reality as evidence of systemic racism in the form of a new antisemitism ignores Israel’s powerful geopolitical standing and thus misappropriates the chilly climate framework.

True, Israel is relatively small in terms of geography and population, but in the words of an Israeli government advertising campaign, “Size doesn’t matter.” Israel is a major corporate player in the global economy and boasts a GDP exponentially larger than countries of a similar size. It has one of the most powerful militaries in the world and is openly supported by most Western nations. Certainly Israel has enemies, including those who wish to bring violence upon it, but by its own account, Israel is hardly a weak player on the global stage. It has often been an aggressor. The Israeli Defense Force has a long history of committing overt military attacks and covert assassinations outside its borders. Israel has occupied the West Bank and Gaza Strip for decades, backed by the world’s military superpower, the United States. Moreover, although an obvious point, it is also crucial to stress that *Israel is a widely recognized state*—indeed, a state with such resources and international prestige that it was granted entry into the exclusive Organisation for Economic Co-operation and Development (OECD) in May 2010. Its statehood alone places it in an incomparably stronger position than that of the stateless Palestinian population. Notwithstanding the resistance Israel faces from those who have suffered under its rule and from other states, it is misleading to equate Israel’s geopolitical position with the state of women suffering under patriarchy.

Similarly, to equate the power of pro-Palestine voices with the power of men in a patriarchal society is to distort beyond recognition the actual state of affairs in Canada and the world. The Palestinians are without a state. The population of the Gaza Strip and the West Bank lives under occupation. In Canada, the CPCCA is aiming to criminalize the movement’s primary avenue for political education and expression.

### **Rationality versus the irrational other: Anti-complexity and Islamophobia**

Finally, witnesses regularly associate those guilty of the so-called “new antisemitism” with the irrational and the extreme, while claiming the mantle of reason and moderation for themselves. This association takes two distinct forms. In both cases, this strategy serves to “other” those who promote Palestinian rights by protesting against the

state of Israel, portraying them as deceptive and untrustworthy to the point that they are dehumanized.

### *Anti-complexity*

Four out of five submissions describe “new” antisemitism as a complex, shape-shifting phenomenon. It is “protean” in nature (Rosenfeld, 2009, November 16), a “virus” that will “return in yet another guise” (Rickman, 2009, November 2). It is a “mask” (Kaplan & Small, 2009, November 2) or a thing that “masquerades” (el Shafie, 2009, November 30) as something else. What else precisely? For Toronto Hillel executives Zac Kaye and Daniel Ferman, new antisemitism is “disguised” as “reasonable criticism” (2009, November 16); for Marcus, it appears “superficially, to be a matter of social or political discourse” (2009, November 16). In other words, new antisemitism’s deceptiveness has to do with its intellectual or discursive form. As Rabbi Andrew Baker from the American Jewish Committee explains, “While physical attacks on identifiable Jewish targets may be easily recognized as anti-Semitic in nature, certain public discourse on the vilification of the Jewish State may not be so readily identified” (2009, November 23). Indeed, the politics of new antisemitism are deemed incomprehensible, expressed, according to lawyer Martin Gladstone, “in anti-logical knots that no reasonable person could understand” (2009, November 23). Bauer reveals the latent anti-intellectualism in such comments by suggesting that Western antisemitism is an “upper middle class, intellectual phenomenon. It is widespread in the media, in universities and in well-manicured circles” (2009, November 16).

The media and universities have long been targets of conservative forces suspicious of forums that encourage thinking and free expression. Critical concepts and argumentation originating outside mainstream culture are dismissed as needlessly complex. Associated with the “ivory tower” of the university or other “foreign” cultures, complex ideas and the notion of complexity are attacked because they do not carry the imprimatur of the state or capital. In postwar USSR, however, it was Jews who were labelled untrustworthy precisely because of their association with the intellectual, “cosmopolitan” culture. According to historian Tony Judt (2006),

From January 1949 articles began to appear in *Pravda* attacking ‘cosmopolitans without a fatherland’, ‘unpatriotic groups of theater critics’ ... ‘rootless cosmopolitans.’... Yiddish schools and theaters were shut down, Yiddish newspapers banned and libraries closed.” (p. 183)

In promoting a critique of complexity, CPCCA submissions tread in dubious footsteps. And the historical parallel does not end there. Jews then, just as Arab Muslims and other critics of Israel are now, were portrayed as irrational, subhuman beings who could not be trusted. Judt describes the language used by Prague prosecutors and broadcast over Czech radio during the 1952 Slánský trial: Jews were “repulsive traitors,” “dogs,” “wolves,” and “wolfish successors of Hitler” (2006, p. 186). Significantly, though the metaphors are different, the CPCCA submissions recall precisely the sort of dehumanizing discourse Judt cites. In this case, however, it takes the form of Islamophobia.

### *Islamophobia*

The CPCCA openly invited inquiry witnesses to speak about “Muslim antisemitism.”<sup>6</sup>

No other religious group was similarly targeted, despite the ignoble history of Christian antisemitism in Canada and elsewhere (Nicholls, 1993). In its exclusive focus, the coalition invites witnesses to attribute particular traits of some to a whole religion. It is perhaps not surprising then that 44% of the witnesses portray Islam (and often the Arab cultures and countries associated with Islam) as especially receptive to antisemitism. According to Indiana University's Professor Alvin Rosenfeld, antisemitism is "rooted within Arab Muslim culture" (2009, November 16). Bauer specifies that it is "radical" Islam that sows the seeds of antisemitism. Yet he promptly undermines what is arguably a *political* differentiation by presenting the radical element as a natural outgrowth of the wider Islamic *culture*: "The 23 million Moslems in Europe today are not, most of them, radicals—yet" (2009, November 16, emphasis added).

More generally, Islamic culture is linked in many submissions with aggression and extremism. The word "extreme" appears fifteen times over six pages in one submission alone (Gerstenfeld, 2009, November 16). *National Post* journalist Barbara Kay expresses concern about school officials who back down "in the face of Muslim aggression against a teacher," (2009, November 23) while Gerstenfeld, raising suspicion about public Muslim prayer services held after an anti-Israel demonstration, declares that "groups of *often violent Muslims* tried to conquer the public square" (2009, November 16, emphasis added).

In portraying Arab Muslim culture as radical, violent, or intrinsically antisemitic, these submissions are not simply drawing on and reinforcing existing stereotypes. They are actively pursuing an Islamophobic strategy of "othering" Muslims and Arabs (or people who "look Arab"). Razack (2004) argues that such "othering" proceeds through the portrayal of Muslims as "unassimilable, duplicitous, tribal," requiring "the force of law to bring them into modernity" (p. 138). Again, the parallels with Jewish history are striking. "The myth of the 'Wandering Jew', the eternal foreigner in our midst who clings to his backwardness ... was a central plank in the ideology of national socialism" (Razack, 2004, p. 140).

But it is not just Arabs and Muslims who are othered; it is also Israel's "extreme" critics among the intellectual classes. Consider the irrationality and aggression implied by the following: Queers Against Israeli Apartheid "all too frequently [descends] from the realm of the political to the pathological" (Troy, 2009, December 7); Israel is an object of its critics' "wrath" (Wistrich, 2009, November 23); critics view Israel as "the new anti-Christ of our time" (Cotler, 2009, November 2). By contrast, those who support the terms of the inquiry carry the mantle of civility and civilization. Sixty-four percent emphasize the moderate, reasonable nature of their quest, without noting the illiberal context of the discussion and its potentially repressive outcome. Toronto author Navid Khavari, for example, writes of the need for "a fair conversation unaffected by bias and prejudice" (2009, November 23). Others call for "thoughtful criticism" and "dialogue," (Stein, 2009, November 16) "democracy," (Benlolo, 2009, November 30) "civility," (Freiman & Farber, 2009, December 7) and "an environment of respect and understanding" (Walsh, 2009, November 30).

The aim is to render critique of Israel irrational, extreme, and discriminatory. The CPMCA and many of its witnesses appear to take for granted that Islam is inextricably

linked with irrational and dangerous views and that confronting antisemitism means confronting Islam specifically. While CPCCA witnesses do not engage in name-calling or directly compare Arabs, Muslims, and intellectuals with wolves and dogs, they do associate these groups with animalistic traits such as irrationality and aggression. In dehumanizing “other” cultures—cultures foreign to the dominant one on the grounds of social capital or ethnic-religious identity—these submissions call into question whether critics of Israel are worthy of human rights.

## Conclusion

By analyzing the dominant discursive strategies of CPCCA submissions, this article reveals the subtle yet powerful processes through which an ideological perspective is intended to be reframed. We have argued that particular strategies combine to subvert dominant understandings of human rights and social justice, despite relying upon a familiar, palatable left-liberal discourse. They do so by undermining notions of inherency and universality that are central to left-liberal understandings of human rights. In this revised discourse, states, as opposed to humans exclusively, become bearers of human rights; human rights are accorded to some humans, under certain circumstances, as opposed to being inherent and universal; subjective claims of injustice are trumpeted without attention to broader context; and those who criticize Israel and struggle for certain (Palestinian) human rights are depicted as foreign, irrational, dangerous, and possibly unworthy of full human rights. On the other hand, the CPCCA and its supporters claim the mantle of open and reasoned discussion—the hallmark of the liberal tradition. Yet, as our analysis demonstrates, the CPCCA is a forum for liberal-pluralist debate in name only.

Gramsci (1971) argues that states and ruling groups are constantly re-calibrating the terrain on which hegemonic ideas take hold; for “if a social group can successfully promote its values as the dominant values of society, it then can obtain power and legitimacy to dominate other social groups” (Green, 2002, pp. 20-21). In liberal democracies, this process occurs largely by developing a consensus across classes in and through the state’s “ethical-political” educative function (Carnoy, 1984, p.71). The process is a familiar part of Canada’s past: citizens’ common-sense understandings of the nation (uni-, bi- or multicultural), of immigrants (migrants or not), of the state (interventionist or not), of the military (peacekeeping or aggressive) have all shifted in response to initiatives of forces within the “integral” state (Bannerji, 2000; Razack, 2002; Squires, 2008). In each case, the language in which events, institutions, and ideas are coded is critical to those shifting understandings. Because it serves as a battleground over not only common-sense assumptions about politics, but also the legal right to political expression, the CPCCA initiative must be seen as part of this continuum, the state’s educative function again being used for particular ends by particular forces within the state.

However, the CPCCA also departs from past patterns—but not from a Gramscian conception of hegemonic struggle—in two ways. First, the consensual element of the process is but a thin veneer of the coercive power of the state. That the ruling bloc chooses not to pursue more liberal, more legitimate processes of hegemony-making signals something about the degree to which it believes it is fighting a rear-guard ac-



tion. Why else rely so heavily upon the coercive state element? We submit that the key players intuited they would prove unable to deploy their arguments, even draped as they are in left-liberal language, unless there was a mechanism for skewing the “discussion” in their favour, thus insulating themselves from the very critique they wish to push asunder.

The second point of departure concerns the CPCCA submissions adopting and adapting the language of left-liberalism. In this, they contrast with more recent efforts to develop a new view of the state compatible with neo-liberalism, in which ideologues explicitly rejected left-liberal language and furnished a new (or renewed) language—one based on individual responsibility, choice, and privacy (Jenson, 2001; Sears, 1999). Indeed, they delegitimized traditions associated with left-liberalism (such as inclusion, entitlement, and diversity), strategically offering an alternative framing through derivative terms such as “special interests” and “lazy welfare moms.” In the case of the CPCCA, however, the reverse is true. The language of human rights and social justice is not rejected but rather embedded (and transformed) in the inquiry submissions. The use of such language—which effectively masks the coalition’s illiberal agenda—may be partially explained by the fact that many witnesses spoke from the authority of Jews’ own history of repression. But we suggest these strategies also reflect broader attempts to revise that which, compared with the neo-liberal attack on welfare state discourse, has proven more difficult to sweep away: namely, the lingering attachment to the idea that human rights are inherent and universal, social goods available to all.

In light of the Conservative government’s policy priorities and mainstream media and ruling-class hostility toward those who do human rights work on the ground, this explanation is at least worthy of exploration. One need only reflect upon the Harper government’s provocation of a crisis in the (Human) Rights and Democracy group, its defunding of various human rights initiatives, and its attacks on Human Rights commissions. Viewed in the context of such developments, the CPCCA initiative provides reason to be concerned that at the same time as the ruling bloc is undermining defenders of real, bodily, universal human rights, it is offering up a hollowed out, disembodied replacement.

## Notes

1. Kuper (2008) notes that the discourse of “new antisemitism” was used as a tool to defend against mounting political criticism of the Israeli state in the early 2000s. By 2005, the same year the Palestinian-led BDS movement (for boycotts, divestments, and sanctions against Israel) was founded, the European Monitoring Centre on Racism and Xenophobia codified the term “new antisemitism” in a way that explicitly aimed to stop the BDS campaign.

2. By “political Zionism,” this article refers to the Jewish nationalist movement first associated with Theodor Herzl, which considers the establishment of a Jewish national homeland an essential precondition of Jewish emancipation. The dominant form of political Zionism goes on to claim that the Jewish state belongs in historic Palestine, which is deemed “a land without a people.” The anti-Zionist position with which the European Monitoring Centre on Racism and Xenophobia and the CPCCA take issue (and with which we concur) holds that Israel is in fact a “settler colonial” state in which the occupying population has a special interest in controlling the indigenous people’s land (as opposed to or in concert with controlling their labour). See the exchange between Sternhell (2010) and Piterberg (2010) in *New Left Review*, 62, for an accessible entry point into this debate.

3. The remaining 14 submissions did not engage with the question of how antisemitism might be defined; rather, they assumed the conventional definition. For example, submissions from police departments and some civil society anti-discrimination groups largely reported on incidents of antisemitism as defined by the current Canadian Criminal Code.
4. In-text references to CPCCA witness submissions are by author surname. Complete submissions can be accessed at <http://www.cpcca.ca/inquiry.htm>.
5. Witnesses did not explicitly link their repeated references to a “climate of hate and intolerance” toward Jews to feminist struggles, but the two claims are driven by the same logic. The important thing is that the concept of chilly climate is used in both cases.
6. Considering its interest in “Muslim anti-Semitism,” one might have expected the inquiry to prioritize Muslim (and Arab) voices, and many such voices did submit briefs to the CPCCA indicating their desire to appear before the coalition (see Keefer, 2010). But this did not happen. Of the 72 presenters who were invited to give testimony before the coalition, only two represented Muslim organizations, and a further two spoke on behalf of organizations that explicitly endorse the Palestinian struggle.

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