

Taylor, Laura

From: David Heap <djheap@uwo.ca>
Sent: October 22, 2020 1:01 PM
To: Baber, Roman; Triantafilopoulos, Effie; Bouma, Will; Collard-CO, Lucille; Gill, Parm; Yarde-QP, Kevin; Yarde-CO, Kevin; Tangri, Nina; Singh-QP, Gurratan; Singh-CO, Gurratan; Park, Lindsey; Parkco, Lindsey; Morrison-QP, Suze; Morrison-CO, Suze; Kusendova, Natalia; Standing Committee on Justice Policy
Subject: URGENT: Bill 168 requires public hearings

Dear Members of the Standing Committee on Justice Policy,

I am writing most urgently to call on you to hold public hearings on 'Bill 168: the Combating Antisemitism Act'. If passed, this Bill will have serious consequences for freedom of expression and human rights advocacy across Ontario, including (but certainly not limited to) on university campuses. Important municipal councils in Montreal, Vancouver and Calgary have recently declined to adopt to adopt this definition. Even Kenneth Stern, the original author of the IHRA definition, has strongly opposed its use as a legal or administrative definition of antisemitism, warning that such use will be a threat to both academic freedom and freedom of expression in general.

Your committee and the Legislature need to hear from many community and public interest perspectives on this important issue. The Ontario Civil Liberties Association is just one example of a significant civil society stake-holder who has studied this initiative: <http://ocla.ca/ocla-opposes-the-international-campaign-to-adopt-the-international-holocaust-remembrance-association-ihra-definition-of-antisemitism/> and who should be invited to address your Committee in public hearings before this Bill proceeds.

As an individual and a faculty member who values justice, human rights, and freedom of expression, I am concerned that the IHRA definition of antisemitism will be used to suppress Charter-protected political speech, specifically related to criticism of Israel: indeed, it has already been used this way in other countries. The majority of the examples in the "definition" in fact deal with Israel, not with antisemitism.

Therefore, I ask that you consider this matter carefully. Antisemitism is intimately tied to other forms of hate. It increases when there is a failure of appropriate governmental response to racism, and its existence in our society is unacceptable. However, the IHRA definition is not the appropriate way to fight it. The IHRA definition jeopardizes the Charter rights of Canadians to freely express their legitimate criticisms of Israeli human rights violations. I urge you to consider other, more useful definitions, such as the one proposed by Independent Jewish Voices (<https://www.noihra.ca/our-definition.html>).

It is important take a stand against antisemitism, but also support freedom of expression and a commitment to universal human rights. I urge you either to vote against to bring Bill 168 to public hearings, and to considering amending the Bill so that the 11 examples are removed from the definition.

Thank you for your consideration. I look forward to hearing an announcement about a schedule of public hearings on this proposed legislation.

Sincerely and persistently,

David Heap, Ph.D.
Associate Professor

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Université Western Ontario, située sur le territoire traditionnel des peuples anishinaabé, haudenosaunee, lenapé, attawandaron et huron-wendat.