

May 20, 2024

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

I am a retired lawyer, a member of the Alliance Against Campus Antisemitism in Canada (Alliance) and involved with the National Respectful Dialogue Initiative.

The Alliance is a diverse coalition of groups, organizations and individuals brought together by Mark Sandler, a leading member of the Ontario Bar,¹ and others to assist this Committee in its study of antisemitism in Canada. The Alliance will file a separate brief with the Committee. However, in this brief, I will outline for you the National Respectful Dialogue Initiative, which is another important initiative in combatting antisemitism, anti-Muslim and other forms of hate.

Inspired by an initiative that the Muslim and Jewish Law Students Association at the University of Ottawa Faculty of Law started last year, Mr. Sandler asked members of Canada's law community to sign an open letter promoting respectful dialogue and rejecting the celebration of violence and hatred. The open letter can be found at the following link: <https://thomasmoreguild.ca/an-open-letter-from-canadas-law-community/>

For convenience it is reproduced immediately below:²

We, members of the law community across Canada, are inspired by the Muslim Law Students Association and Jewish Law Students Association at the University of Ottawa Faculty of Law, who came together, supported by their Dean and her administration to focus on what unites them, not what divides them, and their common humanity. Special acknowledgements go to MLSA Co-Presidents Hasan Ferdous and Hanaa Ameer, JLSA President Shayna Horvath and convener Arjun Gupta for their commitment to this initiative.

The entire law community in Canada can play a critically important role in advancing the rule of law and in promoting respectful dialogue on the difficult issues that face us.

In common cause, we reject all manifestations of anti-Semitism and Islamophobia, verbal and physical intimidation, incitement to violence and the celebration or glorification of violence and barbarity.

We can do no better than to adopt what the Muslim and Jewish Law Students Associations said at the University of Ottawa Faculty of Law:

We recognize that Jewish and Muslim lives are equally valuable and important, and that every loss of life is tragic and represents a story and a family, and a whole circle of people who are grieving.

Both our communities are grieving right now, and we're coming together to say we want to focus on what unites us. We also extend our thoughts to Christians, Druze, and other minorities in the region, who are suffering and grieving.

¹ I understand that Mr. Sandler will be a witness before the Committee on May 23, 2024.

² See an early media report about the initiative <https://globe2go.pressreader.com/article/281595245257282>,

We all recognize that these rising tensions and divisions are driving fear and anxiety. We are also aware that there are members of our communities that have family and loved ones that are being directly impacted by this war. With racism, anti-Semitism and Islamophobia rising, we simply will not be bystanders in the face of hate.

We urge all professors, lecturers, and students to understand the present context, when exercising your freedom of expression, and making your points: this is an exceptionally raw and difficult time. Members of our law school community have lost loved ones in this conflict. We call on you to show a commensurate level of sensitivity and tact. As leaders of our respective communities, we call upon our Ottawa Law family [as the undersigned call upon our law community Canada-wide] to focus on how our shared pain unifies us instead of letting hatred divide us. We ask that you listen to each other with empathy, dignity, and respect. (Emphasis in original.)

We are conscious that the situation continues to be extremely critical, and that this is a very troubling time that is causing a lot of anguish for both the Jewish and Muslim communities. We recognize that other communities are affected as well.

To this critically important message, the undersigned would only add this: we recognize there are profound differences in how the events in Israel and Gaza are perceived. However, the legal community can be instrumental in promoting respectful dialogue, open-mindedness to opposing perspectives and critical thinking. We should expect no less of ourselves and of our profession. This is our common cause.

Despite fairly limited distribution, the open letter has attracted about 2,500 signatures from members and leaders of the law profession across Canada. They include three former Supreme Court of Canada judges, a number of Ontario Court of Appeal and Superior Court justices and Provincial Court judges. They include 48 former Treasurers of the Law Society of Ontario and current benchers in their personal capacities. They include many Muslim and Jewish lawyers, faculty and students, as well as lawyers of other faiths.

Many of the signatories are listed in the updates regularly circulated to them. In one update, Mr. Sandler noted that “some signatories hold diametrically opposed views on the issues that prompted this initiative. However, they share a common cause: encouraging respectful dialogue, and critical independent thinking, especially on campuses, while rejecting all forms of hatred, intimidation, incitement to violence, and its celebration.”

The open letter was addressed to the law community of Canada. However, it received support from outside that community, both in Canada and in the United States. The Respectful Dialogue Initiative will soon be opened up to all community members. Online updates describe the diversity of signatories, demographically and geographically: <https://www.change.org/p/an-open-letter-from-canada-s-law-community/u/32482323>

In one update, Mr. Sandler described his discussion at a small gathering with Dr. Izzeldin Abuelaish whose life story of tragedy (including the loss of three daughters in a previous Hamas-Israel conflict) and resilience is well known, as is his commitment to peace between Palestinians and Israelis. Mr. Sandler was gratified at his support for the respectful dialogue initiative and for his view that it was important that it reach as many people in the law community as possible.

There were divergent views at this gathering respecting the conflict in the Middle East. However, everyone “actively listened” to each other –the type of dialogue that promotes understanding. Mr. Sandler also reflected that as a result of the modest publicity given this national initiative and its Ottawa origins, discussion was taking place at other campuses about creating similar dialogues.

We are now working to operationalize the Respectful Dialogue Initiative through meetings with students on a number of campuses, introducing the initiative to several other professions, meeting with agencies and organizations that might partner with the initiative and providing mentors in the profession to those students who feel at risk or marginalized by events since October 7. We also hope to involve Muslim and Jewish lawyers in their own dialogues. Several respectful dialogues have already taken place or have commenced.

In response to 2019 campus protests that lead to violence, York University committed “to ensuring respectful environment where community members are able to gather and express diverse ideas.” The President’s Initiative on Open and Respectful Dialogue began in 2020. A description of it can be found at: <https://www.yorku.ca/president/presidents-initiative-on-open-respectful-dialogue/>.

Following the 2019 protests York University students launched their Bridging the Gap initiative, to promote civil dialogue about Israel and Palestine. It has gained momentum since October 7th. Professor Randal Schnoor, Koschitzky Centre for Jewish Studies, York University, works with the student dialogue group. A description of Bridging the Gap can be found at: <https://thecjn.ca/news/courage-to-disagree-with-respect-york-university-student-initiative-promotes-civil-dialogue-on-israel/>

In April 2024, the Belzberg and Soliman Families Scholarships were gifted to TMU. The scholarships “recognize and encourage incoming TMU law students who demonstrate bridge building in the community ... They were created to encourage students to be intentional about listening to and learning from people of disparate and unique backgrounds.” A description of the scholarships follows: <https://www.torontomu.ca/news-events/news/2024/04/belzberg-and-soliman-families-create-scholarship-for-first-year-law-students/>

Recommendations

Safe learning environments cannot exist on campuses where students and faculty demonize without accountability each other for the views they hold about the Middle East. Critical thinking, active listening and a more accurate perspective on controversial matters cannot be generated in a precarious learning environment.

The National Respectful Dialogue Initiative asks the Committee to endorse respectful dialogue as a crucial measure to combat hatred, and to encourage all governments to promote such dialogues in their own workplaces and at educational institutions across the country. Public funding to institutions should be conditioned on the development and adoption of respectful dialogue strategies. Governments should partner with private sector and community organizations in the development and funding of conferences at Canadian campuses designed to address the Rule of Law and strategies to promote respectful dialogue on controversial issues, as articulated in the National Respectful Dialogue Initiative.

Sincerely,

Janice LaForme

Janice LaForme, On Behalf of the National Respectful Dialogue Initiative