

**Investigation of Allegations of Anti-Semitism at the October 23<sup>rd</sup>, 2017 Meeting of the  
General Assembly of the Student Society of McGill University (SSMU)**

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**By**

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The mandate I received from McGill University Principal Suzanne Fortier for this investigation was to “undertake a thorough identification and examination of the facts of the events of October 23<sup>rd</sup>, 2017, for the purpose of determining whether the facts substantiate the allegation of an incident of anti-Semitism.” The central event for these allegations took place during a meeting on October 23<sup>rd</sup> of the General Assembly of the Student Society of McGill University (SSMU). Events that are related to the outcome of the October 23<sup>rd</sup> meeting and the subsequent relevant events were also examined and will be noted in this report.

To conduct this investigation, I began by examining documentation related to the October 23<sup>rd</sup> General Assembly, including General Assembly and Board of Directors minutes, the SSMU Constitution, Judicial Board minutes, as well as related newspaper articles, social media posts, research reports, and online documentaries. In addition, I viewed the October 23<sup>rd</sup> Fall General Assembly of the SSMU online. Most relevantly, I conducted a total of 38 individual interviews of approximately one hour each; 32 of these were with students who were central to the events at the October 23<sup>rd</sup> meeting. Some of the students were invited for an interview, and other students requested an interview. I made it clear that for the first 3-½ weeks of my investigation, any McGill student who wished to meet with me would be given the opportunity. No student was refused an interview. Every meeting with the students had a recording secretary present who took minutes. Students were assured that the interviews would remain confidential. All interviews proceeded in a courteous and helpful manner. In addition to listening to the students, I carefully read and reread the minutes of these interviews before writing my report.

The incident that led to the allegations of anti-Semitism among students that I was requested to investigate was the vote for approval of three members of the SSMU Board of Directors at the October 23<sup>rd</sup> General Assembly. It appears that previously, the candidates for the Board of

Directors were voted as a whole with one vote. However, on this date, there was a motion that the vote be allowed for the candidates on an individual basis. After consultation by the Speaker, and despite some protest, the individual vote was deemed constitutional and the Speaker allowed the motion to proceed to a vote. It should be noted that there is an ongoing discussion that the vote on an individual basis was a misinterpretation of the SSMU Constitution and the issue has now been sent to the SSMU Judicial Board for a decision. Of the eight candidates up for ratification, three were not ratified, including Noah Lew, a Jewish student. The other two students were not Jewish, although it was noted that apparently some students thought that one of them was Jewish. A number of students were clearly upset by the vote and left the meeting for a brief period before returning. The next day, Noah Lew made the allegation that his vote for approval as a member of the Board of Directors of the SSMU failed "because I am Jewish and because I have been affiliated with Jewish organizations". What followed was a deluge of opinions among the students as to whether the allegation was warranted or not.

It is absolutely necessary to contextualize the vote for approval by understanding as accurately as possible the events leading up to the October 23<sup>rd</sup> General Assembly and the events that followed the Assembly. For the most part, I will limit my timeline to the present situation, even though it is evident that this contentious issue goes back much further. A key element was a motion regarding support from the SSMU for the Boycott, Divestment, Sanctions (BDS) Movement in the winter semester of 2016. The Movement "works to end international support for Israel's oppression of Palestinians and pressure Israel to comply with international law" (quoted from the BDS website). The motion was approved by the General Assembly and was put forward in an online referendum and subsequently defeated. The result of the online decision was challenged

by some, due to what they believed were campaign violations. Other students challenged the legitimacy of the motion as regards the SSMU Constitution.

In the spring of 2016, the Judicial Board of the SSMU was requested to determine the legality of the BDS Movement's motion and similar motions. The unanimous decision of the Judicial Board was that because the BDS Movement called, in part, for the boycott of a nation, namely Israel, the motion did not conform to the SSMU Constitution and equity policy. Members of the BDS Movement contest this interpretation of the SSMU Constitution. The Judicial Board also made it clear that "the freedom to criticize and explore unpopular ideas, even those that make us uncomfortable, are central to the academic freedom which animates McGill's vibrant intellectual community". It should be noted that at the time, Munavar Tojiboeva, the SSMU's current President, was a member of the Judicial Board that came to the decision regarding the constitutionality of support for the goals of the BDS Movement. In September 2017, the Board of Directors of the SSMU voted unanimously (with one abstention) to uphold the Judicial Board's decision regarding the illegality of the BDS Movement's request for formal support from the SSMU. Munavar Tojiboeva, now President of the SSMU, and Noah Lew were among the members of the Judicial Board that voted to approve the motion.

It is clear that many students who attended the October 23<sup>rd</sup> SSMU General Assembly came to the meeting with a particular position related to the issue of support or non-support for the BDS Movement's agenda and the SSMU Judicial Board decision. However other issues also had a constituency. There was a motion to add to the agenda a motion of a non-confidence vote for the President. This motion failed to obtain the two-thirds majority necessary to be added to the agenda. Some students expressed discontent with the functioning of the SSMU Executive and its lack of transparency, among other issues, including the suspension of a Board Member that some

deemed unfair. In summary, it is quite clear that the SSMU General Assembly of October 23rd was an assembly of students with divided loyalties, to say the least, regarding certain individuals and constituencies, and their views on particular issues.

Following the General Assembly's vote on the Board of Directors' membership on October 23<sup>rd</sup>, a strong reaction ensued at the meeting, regarding the outcome of the vote. This continued after the General Assembly with Noah Lew's allegation of a decision that had been reached "because I am Jewish and because I have been affiliated with Jewish organizations". Further to this reaction, I cannot stress enough that social media generally proved to be a most negative and at times disturbing platform. Ad hominem attacks were present and abusive among both those who agreed and disagreed with Noah Lew's allegation. For example, following the vote of October 23<sup>rd</sup>, three Jewish students including Noah Lew were named in a text by Democratize SSMU, that also included anti-Jewish tropes. This served to confirm the conclusion by some students of anti-Semitism among students. The three students' names were subsequently removed and the text was edited to delete the tropes, however the harm had been done. This situation justified a negative reaction from the Jewish community of McGill, including Jewish students who support the BDS Movement. In addition, the fallout remained from negative comments about Zionists that had been posted in the spring of 2017 on social media. Although apologies for these incidents were given, greater discernment regarding such comments might have mediated the explosiveness of the situation, or as someone stated, allowed individuals to "make better mistakes next time".

I wish to make it very clear that my mandate was not to weigh in on the Israel-Palestine situation; it was not to decide on the appropriate definitions of Zionism and Judaism and the relationship between them; it was not to decide on the legitimacy of the SSMU Judicial Board

decisions; it was not to comment about the functioning of the SSMU. To reiterate, the mandate assigned to me by Principal Suzanne Fortier was to “undertake a thorough identification and examination of the facts of the events of October 23, 2017, for the purpose of determining whether the facts substantiate the allegation of an incident of anti-Semitism.” The Merriam-Webster dictionary defines anti-Semitism as “hostility toward or discrimination against Jews as a religious, ethnic, or racial group”.

My conclusion regarding my mandate will respond to Noah Lew’s allegation that the vote against him was “because I am Jewish, and because I have been affiliated with Jewish organizations”. I can honestly say that my conclusion about this allegation, after what I believe was a thorough investigation of the facts, that is, indisputable evidence, does not substantiate the notion that the vote was motivated by anti-Semitism. I can state however that Noah Lew’s affiliation with Jewish organizations that are clearly supportive of the State of Israel, in addition to his approval of the SSMU Judicial Board decision regarding the illegitimacy of support for the BDS Movement according to the SSMU Constitution, was the reason for his vote of non-approval for the Board of Directors at the October 23<sup>rd</sup>, 2017 SSMU General Assembly. Now, I cannot get inside anyone’s head and see what motivates them to vote one way or the other. I can only examine the evidence that I was able to gather through my interviews and written documentation. Every single student I interviewed who was not supportive of Noah Lew unequivocally stated that their vote was motivated by politics, that is, it was based on his support for Israel and Zionism and/or for his view of the BDS Movement, as well as the approval of the Judicial Board decision regarding the illegality of officially supporting the BDS movement as regards the SSMU Constitution. It was pointed out by some students that if a Jewish student supportive of the BDS movement had been up for a vote, he or she would have received

approval. I could not, after my research and interviews, present evidence that would equate students' protests about Israel's policies with anti-Semitism.

However, let me state emphatically that Noah Lew's belief that he was not ratified because he was Jewish was an honest and even understandable reaction to the vote. Some students who did not agree with his allegation of anti-Semitism believed that he was sincere regarding his allegation. During the interviews, it should be noted that many who disagreed with Noah Lew's allegation stated emphatically that they believe that anti-Semitism is very present in society, is inexcusable and should not be tolerated. I asked every student whom I interviewed if they had heard any verbal comments during the meeting of October 23<sup>rd</sup> that may be interpreted as anti-Semitic. Every student, including Jewish students, replied during the interviews that they were not aware of any such comments.

I believe that it is important to step out of the McGill community to understand that these particular tensions are not unique to McGill University. A report of the research group of the Concentration in Education and Jewish studies at Stanford University entitled: *Safe and on the Sidelines - Jewish Students and the Israel-Palestine Conflict on Campus* (Stanford Graduate School of Education, September 2017) resonated with the present situation I was asked to investigate. The report was the result of 66 interviews with Jewish students at five California University campuses regarding their experience of these campuses.

Interviewees reported low levels of anti-Semitism or discomfort. When they did encounter discomfort they traced it either to the carelessness of student speech or to tensions within campus debates about the Israel-Palestine conflict, which they characterized as strident, inflammatory, and divisive. They held both supporters and critics of Israel responsible for

creating this environment. The tone of student activism created a divided campus that left little room for reasoned, productive debate. (p. 2)

I realize that it is not always easy to differentiate the political from the prejudicial. The Stanford Report reiterates this complexity: “The extent to which criticism of Israel’s policies has translated into hostility rooted in anti-Semitism is not known” (p. 7). However the Report points out “the rise in anti-Israel events on college campuses contributes to what some students experience as a hostile campus environment” (p.7).

I can unequivocally say with regret that, based on the evidence I have examined, I have not seen any sign of a reasoned or productive debate at McGill either, regarding the contentious issues surrounding the Israel-Palestine conflict. Although many will claim that this is understandable, I remain hopeful for the possibility of at least a respectful conversation among such a passionate, and also intelligent and articulate student community. Because this is such a sensitive topic, it is somewhat comprehensible that positions are taken that appear to be at opposite ends of the spectrum. It is important for me to point out that during the interviews, a number of students’ positions regarding this divisive issue were more nuanced than one would ascertain by the flurry of comments and reports in the media. However these positions appear to be absent from the on-going debate.

### **Recommendations and Concluding Comments**

As the former McGill Associate Dean of Students in Education, and former Ombudsperson for Students, I urge all students of the McGill community to seek support when they experience what they believe to be a situation that threatens their physical or mental wellbeing.



Every faculty has in place someone whom a student can consult for advice and help. It may be a department chair, an associate dean, a disciplinarian officer, or a professor.

There are also a variety of options at the university level for students who may feel vulnerable. The Office of the McGill Ombudsperson for Students is an appropriate place to present a situation that “...unnecessarily endangers or threatens or undermines the health, safety, well-being, or dignity of another person or persons...” (Article 10 (b) Code of Student Conduct and Disciplinary procedures).

The Dean of Students’ Office is another possibility when seeking help. The principles that direct what they do are “listening, guiding, supporting, facilitating and collaborating”. The Dean of Students and staff are there to support the wellbeing of students. They are not there to judge - they are there to help.

The recently established *Principal’s Task Force on Respect and Inclusion in Campus Life* is another venue to raise issues of concern. A particular focus of the Task Force is to identify the cause of campus tensions and to seek means to further enrich student life at McGill. For this to happen the Task Force has to hear from students. I strongly support its mandate of examining “successful initiatives and best practices at peer institutions with respect to the protection and promulgation of core values”. As was noted in the Stanford Report, these challenges are certainly not unique to McGill.

There have been attempts on the part of students and some staff in the past to encourage a respectful exchange of views on the issue at the centre of this controversy. It appears that the attempt met with limited success for a variety of reasons. Any future attempt for a debate, dialogue or even a conversation would require a safe, moderated venue for a more effective

political discussion, whether in a SSMU General Assembly, a classroom setting, or elsewhere on campus. During the interviews I sensed a general desire for a productive discussion, and, as mentioned, a number of students presented more nuanced positions.

As well, regardless of their political views, a number of students whom I interviewed found it disconcerting that, regarding the activities of the SSMU, the focus has been on a deeply divisive issue to the extent that positive student initiatives have been ignored or barely noted. The General Manager of the SSMU pointed out some examples, including the SSMU employment of approximately 150 students for a variety of positions. The SSMU hosts conferences and student events such as job fairs and provides support for McGill's 200 plus student clubs that include student-oriented agendas for health and wellness and opportunities for volunteering at McGill and in the community. The SSMU also operates 15 student-run services and it subsidizes in part a daycare centre that gives precedence to children of undergraduate students at McGill. A long list of positive SSMU initiatives, past and present, are certainly enriching the lives of its members.

In addition, simple encouraging events are not always on the radar, like the recent supper hosted by Jewish Students at Ghetto Shul with Catholic students from the Newman Centre and students from the Sikh Students' Association. I realize that inter-religious dialogue is far easier when politics are not involved, but I do believe, based on my past experience, that these occasions build bridges and allow a better understanding of the other. No doubt other such positive initiatives take place on a regular basis.

Finally I wish to thank all the students who met with me and whose honest intervention was absolutely essential in attempting to achieve the mandate I was given.

Respectfully submitted,

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