

**LOSING GROUND/LOSING FACE  
FRENCH-CANADIANS, ISRAELI JEWS AND THE SURVIVAL-  
IDENTITY COMPLEX**

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“We need to explain,” writes sociologist Marcel Rioux, “why a group of New World Frenchmen are still asking, in 1969, the question ‘To be or not to be?’” Nearly four decades later this question still plagues French Canadian perceptions and praxes, positioning them as a “small people, a phrase coined by Milan Kundera to denote ethnic communities lacking a “sense of an eternal past and future”. My aim is to expose this phenomenon and to explore its importance and impact. I argue that ethnic existential insecurity, the hallmark of small peoples, is inherently twofold. It addresses both the viability of a future-driven, physical-political *survival* and the validity of a past-based, cultural-societal *identity*. I further suggest that lacking a stable normative legitimacy of survival and identity, small peoples are prone to international anomie, often resulting in conflict, which may be resolved by addressing their need for existential certainty.

A comparison of the French-Canadian community to the Israeli Jewish case serves to illustrate some variances in ethnic existential insecurity. Both communities share a deep sense of “losing ground”, of uncertainty regarding the viability of their future survival (“la survivance”), but the origins, types and scale of the perceived existential threats are quite distinct, as are the strategies developed to cope with them. More importantly, while Jews have usually enjoyed a relatively secure sense of identity, the French Canadians have been struggling with the possibility of “losing face”, jeopardizing a loss of their collective sense of self.

In brief, the community has undergone three distinct phases, in which its self-image oscillated between majority and minority, inclusiveness and exclusiveness, religiosity

and secularism, ethno-nationalism and civic multiculturalism. In the first period, from its outset to the failure of the 1837/8 revolts and the “Union Act” (1840), “la nation canadienne” conceived itself as an inclusive majority ethnic group with catholic persuasion. The future survival of the newborn ethnic community seemed rather certain, and its identity reaffirmed. During the second phase, until the “Quiet Revolution”, the Canadiens (now French-Canadians) perceived themselves as an existentially threatened minority. They took comfort in Catholic piety and an exclusivist ethnicity, which shies away from politics (and inter alia modern nationalism). However, they had to struggle harder in order to preserve their ethnic identity, which was subdued by the ever more prosperous Anglophone North America. The third period, ongoing, again reframed the community, now as Québécois, a majority group (in its own territory), secular and politicized. This period is characterized by a growing sense of ontological insecurity. Secular modernity has nullified the comfort of Catholicism; the prevalent values of the present and shame of the past have de-legitimized ethnicity. The community has thus turned to language as source of inclusive civic patriotism and cultural identity. But the failure to secure inner and outer normative legitimation for the sovereignty project has subverted this identity shift and again placed the community on the gaping abyss of uncertain survival and identity.

## **LANGUE ET CONSTRUCTION NATIONALE UNE ÉTUDE COMPARÉE D'ISRAËL ET DU QUÉBEC**

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Dans la deuxième moitié du XIX<sup>e</sup> siècle, la question linguistique a eu un grand impact sur la définition identitaire de la plupart des peuples minoritaires d'Europe, encore plus lorsqu'ils ont aspiré à créer ou à maintenir une structure étatique autonome, c'est à dire un État dit national. De même, les mouvements nationalistes européens ont invariablement placé la langue au centre de leurs préoccupations, particulièrement lorsque ces langues présentaient des situations de défavorisation ou de vulnérabilité particulière. Ces caractéristiques propres à la construction nationale en Europe se sont étendues ultérieurement à d'autres situations analogues à l'extérieur du continent européen, notamment au cours des années qui ont suivi la signature de traité de Versailles en 1919, au lendemain de la Deuxième Guerre mondiale ou lors de la décolonisation des années soixante.

Nous examinerons ici deux cas de figure qui, en apparence du moins, ne présentent pas de proximité particulière et reconnue au niveau historique ou culturel. Or, le fait demeure que plusieurs points de comparaison intéressants se dessinent entre la situation de la langue hébraïque en Israël et de la langue française au Québec. Ceci pourrait tendre à démontrer que les langues minoritaires de toutes origines et condition, dans un contexte étatique moderne et à une époque de globalisation, finissent par affronter des problématiques relativement semblables et menant parfois à des politiques gouvernementales apparentées. Le plus intéressant est que, sans s'être concertés et sans communiquer entre eux, les gouvernements québécois et israéliens appliquent des politiques linguistiques et des réglementations parfois communes, souvent semblables.

Il y a aussi que des tensions internes très fortes sont d'abord apparues historiquement au sein de ces deux sociétés relativement aux stratégies à utiliser pour préserver le patrimoine linguistique national, qui ont été largement résolues depuis. Source de frictions et d'affrontements au sein de la communauté nationale, la langue est plutôt devenue depuis quelques décennies autant en Israël et au Québec un outil de cohésion sociale et une composante fondamentale de l'identité, au point où elle s'est même transmise à l'intérieur des frontières nationales à d'autres populations elles-mêmes minoritaires, ainsi qu'aux cohortes immigrantes récentes. Ceci tend à démontrer que dans les circonstances politique actuelles, l'appui d'une structure étatique constitue pour une langue minoritaire un appui de taille dans son processus de survie, voire d'affirmation identitaire.

**‘STAGE’ VERSUS ‘ACTOR’ EXPLANATIONS OF  
WOMEN AND POLITICS:  
THE CASE OF FEDERAL PARTY LEADERSHIP  
CANDIDATES IN CANADA**

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Since the 1970s, many scholars and political activists have probed the bases of female underrepresentation in elite-level politics. The phenomenon that Robert Putnam termed “the law of increasing disproportion” has been explored with respect to political attitudes and structural differences, including system-level cultural norms and institutional arrangements, as well as with reference to individual characteristics, notably patterns of political ambition and access to funds for specific women candidates.

Overall, both empirical research during the past 30 years and published accounts by politically active women point toward similar conclusions; that is, egalitarian social values and proportional representation electoral rules on the national ‘stage’ combined with the presence of politically confident, directed and well-resourced women candidates at the ‘actor’ level, are conducive to female representation. Conversely, traditional norms and single member plurality arrangements at the systemic level, alongside weak ambition and limited access to resources on the individual one, tend to depress elite participation.

Does this approach hold out promise as a conceptual starting point for either single case or similar cases research? My paper begins to unpack this question by interrogating ‘stage’ or system versus ‘actor’ or individual factors as they relate to federal party leadership campaigns by women in Canada. By distinguishing between two lenses or levels of analysis in a dynamic political environment, we develop a set of testable propositions that can be applied to the study of women elites in a single political system.

**ESSAI D'ETUDE COMPARATIVE:  
CANADA – ISRAËL, PORTS D'ACCUEIL  
DES RESCAPES DU SINISTRE D'AGADIR<sup>1</sup>**

**Orna Baziz**

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A Agadir, la perle du Souss, au sud ouest du Maroc, la terre a tremblé le 29 février 1960 à 23 h 45. En quelques secondes ma ville natale fut ensevelie dans ses décombres et 15.000 personnes y trouvèrent la mort. La communauté israélite, qui comptait environ deux mille trois cent membres y perdit plus de mille cinq cent de ses fils. Cette situation désastreuse nourrit une source de conflits sur tous les plans aussi bien physiques que psychiques, personnels, familiaux, sociaux et nationaux. Il s'agissait de survivre et de reconstruire un équilibre quelconque, aussi fragile soit-il, avec soi-même, avec son entourage et avec la nature, Les rescapés juifs de la catastrophe émigrèrent principalement en Israël et au Canada. Parfois les membres de la même famille ont opéré différemment: certains s'orientant vers le Canada, inconnu pour la plupart d'entre eux, d'autres vers Israël, terre de conflits et de combats. Aujourd'hui, après plus de quarante cinq ans, la perspective aidant, il est intéressant de vérifier ce choix conflictuel d'immigration. Pourquoi, comment et dans quelles conditions ces deux populations d'immigrés sinistrés diffèrent. Comment ont-ils évolué dans ces nouveaux pays ? De quelle manière se sentent-ils intégrés à la vie canadienne/israélienne ? En quoi le Canada/Israël ont-ils aidé ces rescapés dans leur réhabilitation ? Ces conflits – sont ils en voie de résolution ou, au contraire, s'amplifient-ils avec le temps? Quel est l'impact de ces conflits dans la vie de tous les jours des rescapés? En sont-ils conscients? Est-ce que rétroactivement leur choix a été le bon ?

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<sup>1</sup> En été 2005 grâce à l'appui du gouvernement canadien par le biais de la faculté de recherche sous l'égide de l'Association des Etudes canadiennes, j'ai mené une recherche sur la communauté juive canadienne.

**IDENTITY RE-CREATION THROUGH RECREATION:  
THE CASE OF THE ALYN CHARITY BIKE RIDE**

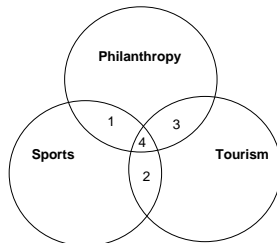
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e-Canada

The goal of this study is to bring together, integrate and leverage a number of diverse research streams in order to understand identity, identification and how individuals and organizations use the social marketplace (commercial, public and non-profit) to produce, exchange and enact identities. The research considers how identity is not only constructed, but also dynamically ‘re-constructed’, renovated and re-created through active recreational activities. The paper uses the Alyn Hospital 2005 “Wheels of Love” bike ride in Israel as the context of inquiry.

Three on-going discourses are germane to this work. First is the work of third sector researchers exploring the motivations, propensities and behaviours of individuals engaged in charitable activities. Second is the work of sports sociologists investigating participation in recreational sports. And third is the work of tourism researchers examining challenges and developments in the tourism marketplace. Major policy shifts, socio-cultural changes, demographic patterns and/or technological shocks have created conditions of crises, opportunity and overlap across these three domains. Resolving the crises and taking advantage of the opportunities involves developing a rich, multi-disciplined and integrated understanding of individuals’ motivations for and experiences with recreational activities. An understanding of the key consumer motivations and outcomes of recreational behaviours will contribute to the development of operational strategies of persuasion, influence and management for business, voluntary sector and public policy decision-makers.

Diagram 1: A Framework for Study



The integration of these three literatures – philanthropy, sports and tourism - can be framed as the intersection of three circles of activity (see Diagram 1).

This provides three unique domains of investigation and four domains of overlap. This paper considers a case that falls in the overlap between all three domains – namely a behaviour that involves sports, charity and tourism. In November 2005, I participated in the Sixth Alyn Hospital “Wheels of Love” charity bike, riding from the Golan to Jerusalem. The event attracted 325 bicycle riders, half from outside of Israel, for five intense and difficult days of cycling, raising close to \$2 Million for the hospital. This paper focuses on how training for and participating in this international, charity, sporting event contributes to participants’ feelings and self-perceptions. The study analyses in-depth personal interviews with the Toronto riders both before and after the ride, participant narratives, on-line journals (blogs) and media coverage of the event. The case is interesting because training for and participating in the event, for North Americans in particular, represented major investments of time and money, and called for very strong motivations and commitments to riding, the hospital charity and Israel. The experience potentially embodied meanings of health, strength and athletics; altruism, giving and charity; and/or travel, Zionism and Jewishness in its various forms. The possibility of accessing and integrating these multiple inputs made this ride a particularly interesting research site.

The interviews and texts reveal a rich, nuanced and complex set of motivations and equally complex and transforming experiential outcomes. The results bring to light how recreational behaviour is connected to broader cultural processes situated in place



and time and show how participants actively modify, transform and appropriate symbolic meanings encoded in experiences in order to manifest and fit their particular

personal and social circumstances, identities and life goals. Particularly interesting in this study are the implications regarding the 're-creation' of respondents' diaspora identities. Through the consumption of international charity sporting events – such as this bike ride - , 'consumers' in effect become 'producers' of new identities. Event organizers and sponsors thus become not simply event providers or fund-raisers, but rather co-producers, with participants, of both the event and the participant identities. Recognizing and understanding this co-production process suggests several implications for the structure, promotion and management of these events. The paper will discuss both the theoretical and management implications of these findings.

**NATURE OR NURTURE:  
JEWISH IMMIGRANTS TO TORONTO AND THE EFFECT OF THE  
NEW ENVIRONMENT ON THEIR JEWISH IDENTITY**

**Michael Brown**  
*York University*

Canada is a land of immigrants, and Toronto, especially, has been a magnet for immigrants during the last three or four decades. Newcomers to Toronto have come from all over the world, and today the city's population includes not only large numbers of Europeans from Italy, Portugal, and elsewhere, but also large numbers of people from the Indian sub-continent and the east Asian mainland, as well as many from other places. This is a major change from the pre-World War II era, when most Torontonians had roots in the British Isles (including Ireland). One reason that immigrants have flocked to Canada, but especially to Toronto, is the multicultural ambience, which promises to accommodate the differing languages, cultures, and mores of newcomers. Since 1971, Canada has officially been a multicultural country. Government policy and social attitudes, particularly in large metropolitan centres, have provided a framework in which immigrants could make themselves at home while preserving a significant measure of their original culture. Toronto's Jewish community has been an active participant in the multicultural immigration. The community has grown more than threefold since the end of World War II drawing immigrants from Central and South America, the United States, Europe, and especially, the former Soviet Union, Israel, and North and South Africa. The Jewish immigrants came to a community that was unusually cohesive (geographical mobility was low and many Jews were of Polish origin) and, in the Canadian mold, rather conservative. It had a multitude of well established institutions and the tripartite division usual for American communities. Orthodoxy was rather stronger than in the United States and Reform weaker. Newcomers usually came to Toronto with patterns of Jewish behaviour and affiliation different from those of the "native" Canadians. Russian Jews, for example, often defined their Jewishness in terms of family and

friendship networks not institutional affiliation or attachment to ideology. Israelis arrived with a desire to retain their Israeliness and to celebrate holidays as they had done in Israel. Most were not very interested in Judaism. North Africans and South Africans had traditions of communal affiliation and participation in Jewish religious life different from each other and from those of Canadian Jews. The present study seeks to examine the extent to which 20 to 25 years residence in Toronto has affected the Jewish identity of the four major Jewish immigrant groups to the city, those from Israel, the former Soviet Union, North Africa, and South Africa. The study includes background material on life in the "old countries" and a limited number of in-depth interviews with Jews who originated in those four places and have been living in Toronto for two decades or more. The study is in the beginning stages, but some tentative findings are already beginning to emerge indicating adaptation, alienation, and attempts at preserving "old-country" ways, as well as some changes in the host Toronto community itself.

**TOWARD THE MEASUREMENT AND ANALYSIS OF  
ENTREPRENEURSHIP: LESSONS FROM CANADA TO ISRAEL**

**Tom Caplan**

Israel Central Bureau of Statistics

In a modern market economy, conflict is managed by the market, and in a mixed economy the market is often assisted by the government. Decisions in the market are made by the interaction of supply and demand forces. In practical non-theoretical terms the supply side is composed of businesses who produce and sell products and services. At the helm of a business is the entrepreneur. The entrepreneur is the person who has the idea, takes the risks, acquires the financing, opens the business. He is the person who is successful or not because of his intelligence, business acumen and his ability to navigate through the market.

The question arises as to who are the entrepreneurs in Israel? Who are the entrepreneurs in Canada? What are the combinations of personal characteristics and the characteristics of their businesses that make successful entrepreneurs? We are undertaking a study of entrepreneurs in Israel that we will carry out using a combination of data sources that will hopefully shed light on entrepreneurship.

Entrepreneurs are of different types: Some open small businesses, some open large ones; some are independent self-employed with a few employees or no employees at all. For some entrepreneurs their businesses continue to grow and prosper, while some businesses fail in their first year or survive only a few years. Some are successful because of entrepreneurship while others are successful because of current trends such as were many companies in the latter years of the 1990's in the high technology area both in Canada and Israel.

Canada and Israel have much in common. Both are modern market economies; both are countries of immigrants; both have strong high tech sectors; both have significant agricultural sectors. Both are mixed economies where support for new business creation is forthcoming from the government.

The purpose of the overall study is to measure and describe entrepreneurship in Israel and its impact on economic variables such as revenues and wages and to compare entrepreneurship in Israel with that of other countries, especially Canada. The purpose of this paper is to draw upon the knowledge and economic analysis of entrepreneurship in Canada in order to develop a framework for the studying of the entrepreneur in Israel in comparison to other countries especially Canada.

The paper will look at, among other areas:

- Canada's immigrant entrepreneurs
- Canada's aboriginal entrepreneurs
- Self-employment in Canada
- The small business and entrepreneurship
- Business demography: the entry and exit and survival rates of businesses and self-employed in Canada

The paper will take these factors as a basis for a framework for analyzing the Israeli case and will provide some preliminary Israeli results as well.

## **GENDER AND THE SCIENTIFIC TEMPER: INDIA & CANADA**

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Canada and India are characterized by many of the same socio-cultural norms that discourage women from pursuing studies in ‘male’ subjects such as Maths and Science. Logic, scientific temper, etc are traditionally seen as ‘male’ characteristics. Women are ‘inferior’ in these matters, and it is deemed ‘unfeminine’ to attempt to take up such pursuits. The strikingly low percentage of women in scientific jobs, teaching faculties of science in India and Canada speaks volumes about gender bias in these areas.

The conflictual situation manifests itself in two ways. Biographies of women scientists show that social and familial constraints oppress them in their early career. And second, those who are able to enter the profession face gender discrimination from their male peers and seniors. Dr. Abha Sur, researching the early period of modern Indian science, wrote a paper on Lalitha Chandrasekhar, Anna Mani, and Sunanda Bai. It is entitled: “Dispersed Radiance: Women Scientists in C.V. Raman’s Laboratory.” The current scenario in India is not much improved. My research conducted at Delhi University in 2005 shows limited examples of women’s presence at senior levels in science departments.

The Canadian Constitution, like the Indian Constitution guarantees equal rights for both men and women, including special measures that are tailored to correct past gender discrimination. Both governments prohibit discrimination based on gender in their respective human rights acts.

My paper explores how conflict resolution is appearing very recently in the “gender friendly” field of Information Technology (IT) . Canada, like India has a strong IT

sector and both are strongly committed to IT training and workforce development. The Canadian government has taken initiatives geared to increase the number of women in engineering and sciences and equip them with IT skills. These initiatives offer a promising outlook for women in Canada in these areas. In India, globalization and outsourcing has brought in a huge growth in the IT sector. Here too, women are rising to prominence and breaking the gender stereotypes.

The gender bias in Sciences is certainly opening up in both the countries. However, we have a long way to go. My preliminary enquiries have touched upon some signposts on the subject.

**FREE EXPRESSION, HOLOCAUST DENIAL,  
AND LIBERAL EDUCATION**

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Hate speech is defined as "any form of expression directed at objects of prejudice that perpetrators use to wound and denigrate its recipient." Hate speech presents itself in many different forms including direct talk, symbols contained in parades and cross burnings and, more recently, internet web sites. It is speech that has a message of inferiority, is directed against a member/s of a historically oppressed group, and is persecutory, hateful, and degrading.<sup>[2]</sup>

This paper is concerned with a specific type of hate speech: Holocaust denial. And it concerns the expression of this idea by educators. Should we allow Holocaust deniers to teach in schools? I will attempt to answer this question through a close look at the Canadian experience in dealing with such educators.

First I will establish that Holocaust denial *is* a form of hate speech. Next I will lay down the main premises of the argument. I will then make some helpful distinctions that will help in crystallizing our treatment of teachers who are Holocaust deniers. Finally I will probe three leading cases: Keegstra, Ross and Fromm.

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[\[1\]](#). I wish to thank Eli Dunker for his excellent research assistance, and to the Bogliasco Foundations for furnishing near to perfect conditions, in the lovely Villa dei Pini to complete the writing of this paper.

[\[2\]](#). Dr. Frances Henry's Expert Report for the Canadian Human Rights Commission, on the complaint of Richard Warman against the Canadian Ethnic Cleansing Team, Kulbashian, Richardson, and the Tri-City Skins (April 24, 2004).



## **CONTRASTING CALLS FOR COMPULSORY VOTING IN CANADA**

**John Courtney**  
University of Saskatchewan

**Drew Wilby**  
University of Calgary

Two debates on the issue of compulsory voting have taken place in Canada's Parliament one in the House of Commons in the 1890s and the other in the Senate in 2005. This paper compares the arguments advanced in those debates, notes three possible "entry points" in Canadian history when the compulsory vote might have been embarked upon, and presents three explanations for the absence of any serious interest in introducing the compulsory vote in Canada.

The treatment accorded the respective bills in Canada's Parliament is a study in contrasts. The arguments and analyses are revealing for what they tell us about the electoral politics of the time, the changed language of political discourse, and kinds of evidence that politicians more than a century apart employed in support of, or in opposition to, the proposals.

The paper offers an explanation for the contrasting decisions in Australia and Canada with respect to compulsory voting. It also notes the tension between rights and responsibilities that characterizes the current debate in Canada over citizens' electoral obligations and concludes that the key elements that led Australia to adopt mandatory voting early in the 20<sup>th</sup> century have never been present in Canada.

## **COOPERATION BETWEEN LOCAL CIVIC ORGANIZATIONS AND MUNICIPALITIES AS A MEANS OF INTEGRATING IMMIGRANTS**

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From the point of view of policy makers, the issue of international migration gives rise to some critical question. One of them is the social integration of the newcomers. There are some basic structural conditions that constitute obstacles or barriers for the immigrants, regardless of where they come from: language and culture; economic disadvantages and hostility towards the newcomers on the part of the natives (hostility that is directed at groups from lower socio-economic status).

There is no doubt that from the point of view of the municipality that wishes to deal with such problems, an effective strategy depends upon a greater understanding of the local needs of the immigrants. Such an understanding would provide professional staff and politicians with a better basis for allocating public resources.

Researches examining municipalities from the Greater Toronto area, indicates a wide range of policy responses toward immigrants. These include strategies such as employing "cultural interpreters", who advise local authorities on the norms and expectations of specific groups of immigrants; developing a multicultural workforce and integrating them into the municipal staff: and building effective partnerships with CBOs (community-based organization).The latter is important: whereas the municipal staff is responsible for serving the entire local population, CBOs attend to sectarian population, prioritizing the needs of one or more specific group. In this way they are able to develop a better understanding of a specific group. In other words, in order to improve and optimize urban and local policy it is necessary to combine the knowledge base and abilities of local organizations with the larger political system.

According to the logical of the last strategy, this lecture will focus on the ways in which the municipality of **Tel-Aviv-Yafo** works in cooperation with local civic organizations of immigrants from the FSU (former Soviet Union).

**SHARED VALUES IN ACTION:  
THE IMPACT OF ISRAEL ADVOCACY ON CANADIAN CAMPUSES**

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University of Toronto

There has been a tremendous amount of tension and conflict on Canadian university campuses between anti-Israel networks and Zionist oriented organizations, as well as a general lack of understanding of the issues surrounding the Israeli-Palestinian conflict amongst unaligned Canadian young adults. The Jewish community of Canada decided to invest in developing an Israel advocacy strategy that would provide crisis management, improve the atmosphere on campus, as well as lead to long-term changes in Canadian public support for Israel. This paper has reviewed and analyzed the impact of this strategy utilizing data compiled on specific campuses across Canada in order to ascertain if the expected measurable outcomes were achieved. It focused upon: outreach to the general campus community, leadership development, the engagement of campus thought leaders, the impact of professional Israel advocacy specialists based on campus, and to a limited degree civic engagement. This research has reviewed changes on campus over a three year period. The tone, nature, and direction of the advocacy have improved the situation on campus significantly for the Pro-Israel community. However, it is clear that not all of the advocacy goals have been met. The strategy seems to be sound, but additional work is required in terms of follow through, being more inclusive, reaching the general student population, and engaging faculty.

**THE ISRAELI-ARAB PEACE PROCESS  
THE ROLE OF THE RULE OF LAW**

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The Oslo Agreements signed between Israel and the Palestinian Authority (PA) in 1993 were made with a view to enhance “a just, lasting and comprehensive peace”. Yet, since their coming into effect, the Middle-East has witnessed not peace but violence of the worst kind in recent history.

This paper focuses on the rule of law which must be observed within the legal regime of parties to peace agreements, as a pre-condition to peaceful co-existence among them. It especially highlights the problematic customs union between Israel and the PA, which turned out to be a recipe for a trade war rather than economic cooperation. In the absence of the necessary legal framework all efforts to achieve peace will, at best, buy a temporary armistice, but be rendered futile in the long run.

The paper first analyzes the Arab-Israeli conflict from the international law perspective. It shows that public international law does not, and indeed cannot, offer a solution. This does not mean that there is no peaceful solution that both Israelis and Arabs would find desirable.

However, such a solution requires political will as well as a serious law reform, some main aspects of which are analyzed in the paper.

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**CONFLICT AND CONFLICT RESOLUTION AS PORTRAYED IN  
LANGUAGE EDUCATION  
POLICY IN CANADA AND ISRAEL**

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A study of Canadian and Israeli language education policy will shed light on conflict and conflict resolution in the social context today.

In Canada, education is a jealousy protected area of provincial responsibility. The federal definition of Canada as an officially bilingual and multilingual country therefore does not require that language education reflect federal policies. Nonetheless, a combination of historical precedents, openness to interests and rights of most linguistic minorities, and offers of federal funding for provincial programs held to be in the national interest, has ensured that the 10 Canadian provinces and three territories have policies for language in education that now reflect much of the complexity implicit in federal definition. In most discussions of language policy in Canada distinctions have to be made between the Official Languages (English and French) the Indigenous Languages (Inuktitut, Ojibway, Cree-Montagnais-Naskapi and about 50 other languages, most of them spoken only in Canada), and the immigrant "Heritage" Languages (spoken by immigrant groups), of which there are probably close to 200 in daily use.

In Israel the literature of the Academy of the Hebrew Language asserts that Hebrew is a cornerstone in the national and political rebirth of the Jewish people "not only as citizens of a proud young state, but as members of a Jewish people with a long history and heritage that Hebrew is the expression of "the Jewish cultural revival", that it plays an essential role in fusing Jewish exiles from 102 lands into one nation with one common language; that the Academy "is the supreme authority in the most audacious linguistic experiment ever attempted: the adaptation to the computer age of a tongue unspoken for 1700 years." Since the mid 1960's the Academy has supervised the Hebrew including word use and pronunciation, used by Israel's Broadcasting Authority.

**CONSTRUCTIVE OR DESTRUCTIVE AMBIGUITY:  
THE CASE OF THE WATER AGREEMENT  
BETWEEN ISRAEL AND JORDAN**

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Conflicts and cooperation over transboundary natural resources, and water in particular, have won increasing attention of late. Although cooperation over transboundary environmental resources has been analyzed from various perspectives, each identifying the problems of cooperation differently and hence suggesting different mechanisms to enhance it, the role of ambiguity in treaty design in resolving environmental disputes has thus far been overlooked. Such a focus is warranted, since many international agreements regulating the use of natural resources are ambiguous in their schedule of resource delivery during crisis events or in their cost-sharing arrangements, and may even include contradictory resource allocation principles while being vague as to how to settle the contradictions. This study aims to examine why, when and how ambiguity is applied in agreements pertaining to natural resources and water in particular. The Israeli-Jordanian peace agreement, which includes an annex on water use regulation, is used as a case study. It was found that when both sovereignty costs and uncertainty are high several types of deliberate ambiguity were intentionally incorporated in the treaty. One aim was to allow each side to present the treaty differently at home, thereby defusing domestic opposition, while other ambiguities provided leeway to adjust the resource allocation during a future crisis without the need to renegotiate the treaty. Despite the constructive role of ambiguity in bringing this treaty negotiation to closure, such "constructive ambiguity" was in fact destructive, as it had detrimental implications at the management phase of the regime.



**WHAT BALM FOR THIS *BALAGAN*?:  
THE ARAB-ISRAELI CONFLICT  
IN JEWISH CANADIAN WOMEN'S WRITING**

**Bina Freiwald**  
Concordia University

“The Hebrew word *balagan* comes from the Farsi word for the improvised stage on which plays are performed on market days in Iran. . . . [it came to mean] in Hebrew, mess or disorder, whether during a battle or after a birthday party or because of divorce. The word is usually used indulgently, in a resigned way; sometimes it is applied to the entire political situation, the entire conflict, the entire Middle East.” (Edeet Ravel, Ten Thousand Lovers 216)

“I was not a pacifist but I could not envisage my participation as an active member of a militant society. . . . I began to experience a sense of alienation from all the actors in the Palestine drama, the British, the Arabs, the Irgun/Stern, and now the haganah.” (Sylva Gelber, No Balm in Gilead: A Personal Retrospective of Mandate Days in Palestine 274)

The references to “balm” and “*balagan*” in my title are drawn from two of the three works I will be examining in the paper, all three written by Jewish women who have lived in both Canada and Israel, who bring this dual perspective to bear on their representations of the Arab-Israeli conflict, and who seek to explore the personal and collective dimensions of this conflict as well as possible avenues for its resolution. The three works are: Sylva Gelber’s memoir No Balm in Gilead: A Personal Retrospective of Mandate Days in Palestine (Carleton UP, 1989); Malka Marom’s novel Sulha (Key Porter, 1999); and Edeet Ravel’s novel Ten Thousand Lovers (Headline, 2003). Gelber’s memoir focuses on her fifteen-year stay in Palestine from 1932 to 1947, a period during which she made three home-visits to Toronto, the fourth leading to a decision to stay in Canada (a decision, as the quotation above

attests, that Gelber directly links to intra- and inter-national conflicts on the eve of Independence). Malka Marom was born and raised in Israel and moved to Canada in 1951. Leora, the Israeli protagonist of her novel Sulha, flees Israel as a war widow but then returns in 1978, after twenty years in Canada. “Sulha,” Marom tells us, means, in both Hebrew and Arabic, “a forgiveness, a reconciliation; a joining, repairing, making whole that which has been torn asunder.” In the novel, Leora’s personal dilemmas are inextricable from the broader national quest, as the individual and the collectivity strive for reconciliation on many levels. Edeet Ravel was born in Israel, and at the age of seven moved with her parents to Canada, their place of birth. She returned to Jerusalem at age 18 to do a BA and MA in English Literature, then moved back to Canada, where she completed an MA and PhD in Jewish Studies at McGill, and an MA in Creative Writing at Concordia. Ten Thousand Lovers is the first of a trilogy that includes Look for Me (2004) and A Wall of Light (2005). The list of prize competitions in which Ravel’s Ten Thousand Lovers finished as a finalist fittingly echoes the dual Canadian and Jewish/Israeli perspectives that inform the novel: the Governor General's Award, Koret Jewish Book Award, Quebec Writers Federation Award, Hadassah WIZO. The novel is set in Israel in the late 1970s, where Lily, a Canadian-born pacifist student falls in love with Ami, an army interrogator who is nonetheless acutely aware of the problematic realities of the occupation.

## **CHRISTIAN-JEWISH DIALOGUE OF TORONTO**

**Haim Genizi**  
Bar-Ilan University

Roland de Corneille, an Anglican priest, initiated in 1962 and carried out a successful program of interfaith dialogue, that became a widespread phenomenon. Because of lack of financial support the work was interrupted in January 1971, and the first phase of the Anglican-Jewish dialogue program came to end.

With the appointment of the Rev. Peter Gilbert in February 1972 by the Anglican Diocese of Toronto as the first Executive Director of the Christian-Jewish Dialogue in Toronto (CJDT), a new organization was established, aiming at the continuation of de Corneille's program, concentrating on the Greater Toronto area. The CJDT's aim was to facilitate interfaith cooperation through dialogue between Christians and Jews, in order to build a better understanding between the two faiths. To the Anglican initiative other denominations gradually joined, like the Roman Catholic Archdiocese of Toronto, the United Church of Canada, and the Evangelical Lutheran Church in Canada, among others. The CJDT, that is still operating today, enjoyed the support and close cooperation of the Canadian Council of Christians and Jews.

While at the heart of its work was the congregational dialogue between synagogues and churches, among the CJDT activities there were ecumenical symposia, interfaith colloquia, combatting antisemitism, as well as prostelyzation (particularly by the Jews for Jesus), organizing separate interfaith dialogues for youth and women, and holding seminars and public events for students and staff of the Toronto School of Theology. Jointly with the Canadian

Jewish Congress the CJTD organized an annual Christian service in memory of the Holocaust, in which more than a dozen congregations participated.

The aims of this paper are to indicate the uniqueness of the CJDT, to examine its activities and to analyze its successes and failures.

This paper, which is part of a larger project still in progress, the “Christian Jewish Dialogue in Canada”, is entirely based on unpublished church archival sources.

**CANADA'S ROLE AS MANAGER  
OF THE PALESTINIAN-ISRAELI DISPUTE**

**David H. Goldberg**

Canada Israel-Committee

**Adam Blinick**

During the Oslo Years (1993-2000), the Israel-Palestinian conflict appeared ripe for resolution. With respect to other international actors, such as the United States and European countries, Canada was uniquely considered by Israelis and Palestinians to be neutral and non-threatening, and capable of dialogue with all parties involved. Canada assumed the role of peacemaker, positively contributing to conflict resolution initiatives.

Since the end of the Camp David Talks of 2000 and the start of the subsequent Second Intifada, the Israel-Palestinian conflict has entered into a new stage wherein the prospects for peace have diminished and the immediate need for security and stability—for Israelis and Palestinians alike—has taken precedence. In this new environment, conflict resolution efforts have given way to conflict management initiatives. International stakeholders have had to adjust their attitude and policies regarding the Israel-Palestinian conflict to continue to contribute and maintain their respective relevance.

Using Canada's response to Israel's unilateral disengagement from Gaza and parts of the northern West Bank as a case study, this paper will examine whether Canada has made a successful transformation from peace maker to conflict manager. Furthermore, the paper will consider what role Canada as conflict manager can play as Israel responds to new challenges, namely Hamas' rise to power in the Palestinian territories and Iran's bellicose threats and pursuit of nuclear arms capability.

**(CANADA) GEORGE JONAS VS  
(HOLLYWOOD) STEVEN SPIELBERG:  
CONFLICT, RESOLUTION, AND MUNICH**

**Noreen Golfman**  
Memorial University

Canadian author-journalist George Jonas's best selling mid 'eighties non-fiction work, *Vengeance: The True Story of an Israeli Counter-Terrorist Team*, is the source material and inspiration for Steven Spielberg's controversial Academy-award nominated fiction movie, *Munich*. Both works deal with the Black September terrorists who kidnapped and murdered 11 Israeli Olympic athletes in 1972.

In January of this year, Jonas wrote a column in *MacLean's* magazine, denouncing the adaptation as (in an ironic turn of phrase) "the Spielberg Massacre," claiming his "book was all about avenging evil," but that "the King of Hollywood got hold of it." In Jonas's view, while the facts of the story of the fall-out of Black September might have been more or less faithful to his book, the "spirit" of the movie "is almost impossible." Indeed, it is not surprising that Jonas condemns the movie as too much equivocation: he was writing before 9/11, as he admits, when the world, if not exactly innocent, was less complex a place than it is now, especially for Hollywood. But Jonas also claims a position as a Canadian thinker, far from the glittery allure of the American image-making machine of which Spielberg is a product and contributor.

My presentation will not defend Jonas over Spielberg or vice versa, nor will it argue that the film is a less 'reliable' version of (American-made) history than the (Canadian-based) book. But it will point out both the fallacies in Jonas's position about film and filmmaking, as well as the risks inherent in Spielberg's own creative practices.

First I will offer a survey of the wide spectrum of critical reception surrounding *Munich*, from those who dismiss it as morally weak to those who admire it for being progressive. Second, and with allusions to the equally controversial recent fiction film about Palestinian suicide bombers, *Paradise Now* (directed by Hany Abu-Assad), I hope to demonstrate the difficulty and the challenge that mainstream feature film has today in representing the politics of the Middle East. Jonas believes Hollywood has a responsibility to take a stand for or against ways of dealing with Mid East conflict, but I will argue that Spielberg's *Munich* is working towards resolution in ways that actually help modern audiences make sense of and come to their own conclusions about. Indeed, *Munich* and *Paradise Now* have a lot in common.

I hope to be able to show clips from both films for my presentation.

## **CONFLITS IDENTITAIRES ET CREATION CHEZ OOK CHUNG**

**Simone Grossman**  
Bar-Ilan University

Ook Chung est l'enfant de parents coréens immigrés d'abord au Japon puis au Québec quand il avait trois ans. Dans *Nouvelles orientales et désorientées* (1994), les conflits identitaires des personnages génèrent une ambiguïté reflétant la position de l'écrivain migrant en porte à faux entre deux cultures. Comme l'observe Silvie Bernier, «le recours au genre fantastique permet à Ook Chung d'exploiter l'ambiguïté des lieux, des temps, des identités et de faire glisser la narration d'un monde à un autre » (p.207). Dans les récits de Ook Chung, les conflits liés au métissage font la place belle au réalisme magique par la mise en action de figures mythiques originaires d'un espace-temps différent. Le conflit inhérent au genre fantastique entre le vraisemblable quotidien et l'irrationnel est représenté à travers l'identité hybride des personnages et explique l'attraction contradictoire de ceux-ci pour des mondes opposés. L'écriture fait apparaître leur fascination pour l'ailleurs auquel leurs origines les rattachent. La folie les guette dans leur exploration de labyrinthes qui les font accéder à l'autre côté du réel: tel le protagoniste qui, dans « Le catcher du métro », abdique son statut privilégié de « diurne » et rejoint la cohorte des suicidés emportés « vers le soleil de la nuit ». La création littéraire résout les conflits des personnages: dans « La petite princesse et le labyrinthe des rêves », la fillette de mère mi-britannique mi-hindoue et de père hindou, « peu raisonnable » et doublement attirée par l'Orient et l'Occident, s'adonne à un « jeu de labyrinthe » propre à « faire reculer le silence des ténèbres » (p.33) : sa quête identitaire la mène à la bibliothèque, lieu privilégié des merveilles et de l'imaginaire. Le poisson à face humaine, dans « Le royaume silencieux », subit d'abord les affres de sa condition première de nourriture



pour les hommes sadiques qui le tuent presque. Cependant son « ambiguïté physique » s'accompagne d'une capacité langagière étonnante pour un poisson et il devient écrivain. « La prison de cristal » décrit le retour au pays d'une Japonaise immigrée au Canada confrontée au dilemme de la représentation intérieure du pays natal idéalisé. Constatation amère, la sœur qu'elle croyait morte de maladie s'est suicidée, fait qui l'amène à remettre en question douloureusement les liens familiaux. Par un renversement ironique, sa visite à sa vieille mère vivant selon la tradition chez le fils aîné la ramène métaphoriquement au « pays de neige » canadien confondu au Japon enneigé. La mise en cause du passé ancestral est également représentée à travers des personnages d'enfants séparés de leurs parents et ignorants de leurs origines. Dans « Ambiguïté », le dérèglement du temps perturbe la succession consacrée des générations en provoquant des à-coups subits et des retournements cocasses. L'ambivalence qui pèse sur l'identité conflictuelle des personnages de Ook Chung provoque une tension que seule l'écriture peut dénouer.

**THE FUTURE OF JERUSALEM:  
POLITICAL AND GEOGRAPHIC PERSPECTIVES**

**Shlomo Hasson**

The Hebrew University of Jerusalem

Since the beginning of the 20<sup>th</sup> century Jerusalem has been a central issue in the Israeli-Palestinian conflict. Over the years hundreds proposals have been put forward in an attempt to resolve the conflict over the city. These proposals focused on the issues of sovereignty, holy places and municipal administration and jurisdiction. Given the complexity of the issue, many of the proposed solutions recommended to postpone the negotiations over Jerusalem to the end of the diplomatic process. A minority group, however, suggested confronting the Jerusalem issue head on, justifying this position by the critical role the city plays in the overall conflict.

None of these proposals is helpful in charting the way leading from the current situation to the desired solution. Instead of exploring how current patterns and processes may shape future solutions, it is often assumed that future solutions, negotiated and agreed upon by policy makers, are powerful enough to reshape current patterns and processes. In so doing policy makers tend to ignore urban complexities associated with the current situation that may hinder or even block the realization of a specific solution. Moreover, they tend to impose one future development – the one charted by a specific solution – on the city and dismiss other possible developments.

Given these shortcomings, there is a need to rethink the future of Jerusalem in a different way by raising the following questions:

- What would happen if the two parties reach an agreement over the city?
- What would happen if they do not?
- What will be the costs and benefits of these situations?
- How will they impact on the overall conflict?
- How will they affect daily life in the city?

Against the backdrop, I would like to raise three arguments:

- Current patterns and processes may have a significant impact on Jerusalem future,
- The interaction between current patterns and processes and policy decisions regarding the future of the city may lead to different future developments,
- The road to an end-state solution should be incremental; The Jerusalem issue should appear therefore at the beginning, middle and end of the diplomatic process.

In line with these arguments, this study is divided into 4 sections:

- Analysis: What are the current patterns and processes that shape the city?
- Scenarios: What could happen in the future?
- Vision: What should happen in the future?
- Strategies: What is to be done to make the vision possible?

**CANADIAN TUG O' WAR: ETHNIC AND NATIONAL TENSION IN  
THE NOVELS OF MORDECAI RICHLER**

**Sara Kaufman**  
University of Haifa

Mordecai Richler's satire, comedy and sentimental works describe life in Canada from the perspective of an individual who grew up in the Jewish "ghetto" of Montreal in the 1930's and 1940's. This predominantly Jewish, working-class neighborhood was "an all but self-contained world made up of five streets" (Richler, *Street* 10). For Richler, "the ghetto is a psychological as well as a physical place" whose influence manifests itself ubiquitously in his Montreal novels, such as *The Apprenticeship of Duddy Kravitz* (1959), *Son of a Smaller Hero* (1955) and *St. Urbain's Horseman* (1971) (McSweeney 147).

While it is true that Richler's novels depict a uniquely Canadian Jewish experience, he simultaneously wrestles with universal themes. Through the eyes of Richler's Jewish protagonists, the reader begins to understand the elusiveness of the parameters of Canadian culture and what it means to be a Jew, a Canadian and a Canadian Jew.

This talk will examine the image of the individual caught in the tug-o'-war between conflicting social and psychological influences in Richler's *Son of a Smaller Hero*. The novel's protagonist, Noah, navigates psychologically and physically through these influences, in an attempt to find his genuine identity. Unable to contend with the stifling atmosphere of his Orthodox Jewish family, Noah rebels. He leaves home, becomes a cab driver and has an affair with his professor's gentile wife. Ultimately, Noah comes to the realization that his "tug-o'-war" cannot be won on home turf and he sets sail for Europe.

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**THE CHANGING ROLE OF COURTS IN MODERN  
PARLIAMENTARY SOCIETY: A LOOK ON CANADA AND ISRAEL**

**Nir Kedar**  
Bar-Ilan University

Issues of judicial review are high on the agenda of both Canadian and Israeli societies. In the last decades, both societies witness a growing intervention of the courts in areas courts traditionally avoided: from the intimate parts of family life to questions of distributive justice, to highly controversial political issues such as the secession of Quebec from Canada or the Israeli withdrawal from the Gaza strip. Unsurprisingly, this direction of the courts raises a live debate in both countries.

My aim in this talk is not to take part in this debate, taking side for or against judicial review or the new attitude of the courts in general. Instead, my objective is to give a broader – historical, sociological and cultural – explanation to the greater importance of courts in modern political and social life, using examples from Canada and Israel. My two main explanations to the phenomenon of the “intervening court” are the welfare state, and the gradual collapse of the modern social order. In the second part of my talk, I will show how the processes that I have described influence the way modern courts operate in Canada and Israel.

The welfare state means a greater intervention of the state in society and in the economy, i.e. in questions of distributive justice and therefore in issues that raise political and cultural disputes. The “intervention of the state” is done through its political and administrative agencies but it must be done also through law and the legal courts.

But the welfare state is only a partial explanation for this new trend. I will argue that a second reason for the massive intervention of the courts in all areas of social life is the folding of the modern social order. In the post-modern era, when people’s confidence

in the state or even in politics in general diminishes, when the economy changes rapidly and

when cultural borders become blurred, the court of law soars as the only institution that can provide justice and order and hold together the post-modern multi-cultural society.

Hence, in modern (or rather post-modern) society, the court becomes a major political, societal and cultural institution that deals with all aspects of social life. In the last part of my talk I will demonstrate how the courts in Canada and Israel coped with these cultural changes and transformed their reasoning and behaviour.

**BIG AND LITTLE BROTHER:  
THE POTENTIAL EROSION OF  
WORKPLACE PRIVACY IN CANADA**

**Avner Levin**  
Ryerson University

This paper presents the results of a research project, funded by the Canadian Federal Privacy Commissioner, into the Canadian employer perspective on workplace privacy. With new technologies such as biometrics, implantable radio frequency detectors, global positioning systems, digital video camera recorders and digital phones with voice over internet capabilities, all being considered and deployed across Canadian workplaces, Canadians are rapidly becoming aware of their privacy at work and the potential for its erosion. The Federal Privacy Commissioner is increasingly concerned (as are her provincial counterparts) that employers will evolve into ‘Little Brothers’ with unfettered surveillance and monitoring capabilities.

The privacy of private-sector employees in Canada is currently subject to uneven legislation. Some, federally regulated employees such as those working for banks, airlines and telecommunication corporations, are subject to federal personal information protection legislation. Others, such as those working in the provinces of British Columbia, Alberta and Quebec, are subject to provincial personal information protection legislation. And others, such as those working in Ontario, are not subject to any legislation at all.

As Canadian employers struggle to come up with coherent nation-wide personal information protection policies this uneven regulatory landscape is compounded by an unclear conceptual basis for workplace privacy. This research project has found that two alternative notions for such a basis, both relevant to the Israeli workplace, are currently contemplated by Canadian employers. One is the predominately US notion that the workplace and all its resources are the property of the employer, and therefore



that employee privacy is merely a privilege, or at most a contractually negotiated benefit. The other is the predominately EU notion that employees enjoy a right to privacy that derives from their more fundamental human right to dignity and to a private life, and that there are therefore limits imposed on the employer's ability to monitor the activities of its employees.

The implications of each notion reach far beyond the workplace. Privacy advocates and Rule of Law advocates have, particularly since 9/11, found common ground in their campaign against the unrestricted use of executive power by Western governments in the name of the fight against terror. 'Big Brother' activities such as the domestic warrant-free wiretapping carried out by the American government, or the recent legislative initiative on behalf of the Canadian federal government to ensure that internet service providers grant it 'lawful access' to thousands of customer records simultaneously draw attention, discussion and criticism from both advocacy groups.

Those concerned for the Rule of Law, both in Canada and in Israel, must now turn their attention to the questions raised by the increasing and unprecedented technological capability of private sector employers to monitor and record the activities of their employees. Experience has shown that government will sooner or later attempt to tap into private-sector databases whenever they exist, whether of e-mails, internet sites visited, telephone conversations or biometric information. Employers must come to realize that their perception of workplace privacy, the basis of their decision whether, and to what extent, such databases will be developed, will not only affect their employees. The employer perspective on workplace privacy will ultimately affect the Rule of Law and the society that will result. Employers must decide on their perception accordingly.

**INDIGENOUS SETTLER-CONFLICT AND THE ‘AUSCHWITZ  
ANALOGY’: THE IMPACT OF HOLOCAUST  
CONSCIOUSNESS ON INDIGENOUS HISTORICAL  
REPRESENTATION IN CANADA AND OTHER  
WESTERN SETTLER SOCIETIES**

**David B MacDonald**  
University of Otago

The Holocaust is rightly signaled as the twentieth century’s worse example of genocide. Its horrors have inspired conflict prevention efforts (from Cambodia to Darfur), and debates about how best the western world can apply the injunction “never again”. However, many indigenous and other social and ethnic groups have chosen to invoke what Steinweis has called the “Auschwitz analogy” to frame modern conflicts and reinterpret past events. Both the vocabulary and imagery of the Holocaust are used to repackage other historical atrocities as “holocausts”. There is a twin danger involved. At one level the Holocaust is subjected to a process of trivialization when its vocabulary and imagery are irresponsibly invoked. At another level, social and ethnic groups framing history *through* the Holocaust can easily decontextualize their own group histories by re-reading past victimization through a very distinctive and wholly different series of events.

I begin this paper with an analysis of the Americanisation (Novick, Flanzbaum, and Diner) and cosmopolitanisation (Levy and Sznajder) of the Holocaust since the 1970s, then examine how Aboriginal peoples have used Holocaust consciousness to represent indigenous history in the 1990s. This decade has been dubbed by Torpey “the age of the victim”. Presenting European colonization as a “holocaust”, American activist-historians like Stannard and Churchill have used the Final Solution to repackage the colonization of the Americas as the biggest genocide in history, a precedent for the Holocaust. There are worrying anti-Semitic undertones to much of this work. Recently, this style of historical representation has migrated to Australia,

New Zealand, and Canada. This paper focuses on the impact (and the dangers) of invoking the Holocaust to make sense of colonization of indigenous peoples in Canada. I pay particular attention to the debate about Aboriginal Residential Schools and the work of Chrisjohn, Dean and Neu, and Annett.

**LITIGATING INNOVATION IN HEALTH CARE POLICY:  
A CANADIAN PERSPECTIVE**

**Christopher Manfredi**

**Antonia Maioni**

McGill University

What happens when litigation becomes an instrument for social policy reform? In this paper we address this question by closely examining two recent Canadian cases concerning health care policy. We have selected this policy area and these cases for three reasons. First, health care is arguably the single most important area of Canadian public policy. Second, rights-based litigation is becoming an increasingly common phenomenon in the development of health care policy. The third reason is that the two cases we examine—*Chaoulli v. Attorney-General of Quebec* (2005) and *Attorney-General of British Columbia v. Auton* (2004)—raised issues with potentially profound consequences for health care policy. Our examination of these cases suggests at least three preliminary observations about the use of litigation as an instrument of policy reform. One is that litigation can shift the parameters of public policy discussion, even where litigation is unsuccessful. A second is that a final decision by a nation's highest court is often simply the precursor to ongoing judicial supervision of a policy field. Third, the use of evidence—both empirical and speculative—can be highly problematic. By examining these issues the paper enriches understanding of how, and to what effect, policy stakeholders use litigation to achieve their objectives.

**WARFRONT, HOMEFRONT AND CANADIAN JEWISH ASSISTANCE  
TO DUTCH SURVIVORS, 1944-1946**

**Richard Menkis**  
University Of British Columbia

For all the recent commemorations of the role of the Canadians in the liberation of the Netherlands, one aspect of that liberation has received only scant attention. From the autumn of 1944 until the time of the departure of Canadians from the Netherlands in the year after the war, Canadian Jewish chaplains (especially Rabbi Samuel Cass) served as relief workers, information brokers and fundraisers to alleviate the plight of the Jews who emerged from hiding as well as for the Jews who returned to the Netherlands from the liberated camps in Germany. To accomplish their aims, the chaplains looked, *inter alia*, to the Jewish community in Canada for assistance, and especially to the Canadian Jewish Congress (CJC) and its War Efforts Committee. That aid, however, was not always forthcoming, certainly not to the degree desired by the chaplains.

In a previous paper, presented last year in the Netherlands, I focused on the interaction of the chaplains with Dutch Jewry. In this paper, I will discuss the relationship between the chaplains and the officials at CJC, as well as the contact between the chaplains and other Jews in Canada, and will analyze the reasons for some of the tensions between the chaplains and CJC. These reasons include: the overwhelming demands on the Jewish community at the end of the war; the focus placed on the survivors from Poland and Russia by Canadian Jews, who were themselves rarely more than a generation away from their roots in Eastern Europe; the desire of CJC to remain the central agency for all events in the Jewish community; and CJC's commitment to public relations in Canada, which the chaplains sometimes saw as questionable self-absorption.

**RUINS AND EXILIC MEMORY IN ATOM EGOYAN'S CALENDAR  
AND SHARON HORODI AND  
CHEB M. KAMMERER' MUTTERFLECK**

**Romi Milulinsky**  
University of Toronto

My paper explores the significance of ruins for both public and personal commemoration. I focus on the way that two filmic works insist on re-presenting the irretrievable, traumatic past despite the difficulties to access it. The two works that my paper juxtaposes -- Atom Egoyan's Calendar (Canada 1993) and Ketem Leda/ Mutterfleck (Israel-Germany 2005) - a 40 minutes video art by Sharon Horodi und Cheb M. Kammerer -- challenge both memory and the work of mourning by acknowledging the fragmentary nature of ruins and the past's irrevocability. Whereas both Calendar and Ketem Leda/ Mutterfleck foreground the impossibility of fully recording the past, both signal that it is through the ruins that repressed memories can be accessed. In Calendar, Egoyan intensifies the sense of loss and dislocation of an exiled Armenian-Canadian photographer who attempts to re-establish a connection with his community's past; Horodi's and Kammerer's double-screen, on which scenes from Israel and Germany appear simultaneously, serves as an invitation for the audience to develop a double vision that through the ruin allows for adjoining past and present.

Calendar and Ketem Leda/ Mutterfleck underscore themes of blindness and vision in their exploration of memory lapses and historical discontinuities. Both Egoyan and Horodi and Kammerer are thoroughly aware of the particular cultural configuration which now dominates cultural identity and collective commemoration. The directors centre on the figure of the outsider coming to the place of the historical trauma seeking to commemorate the past through art. In Egoyan's Calendar it is the process

of documenting the ruined churches in Armenia that emphasizes the distance (both temporal and geographical) from the historical trauma, the Armenian Genocide; Horodi and Kammerer document their return to the site of trauma – a synagogue turned into a parking lot in Germany, the ruins of a Palestinian village in Israel - where they perform symbolic actions such as cleaning, painting, or tattooing, which suggest that it is through the insistence on the past's corporeality that a personal connection with historical events can be established. It is the recognition of the disruption that the ruins cause to the predominant historical narrative that enables the emergence of alternative, repressed histories.

**PARLIAMENTARY IMMUNITY IN CANADA:  
MORE RESTRICTIVE THAN ISRAEL'S?**

**Henry L. Molot Q.C.**  
Canadian Department of Justice

Parliamentary privilege is defined by Erskine May, Parliamentary Practice (23<sup>rd</sup> ed. 2004) as “the sum of the peculiar rights enjoyed” by a legislative chamber and its individual members “without which they could not perform their functions” (page 75). It has been noted that Parliamentary privilege or immunity in Israel “is probably the broadest in the democratic world” (N. Chazan, The Knesset, (2005), 11 Israel Affairs 392). However, in the past few years, an unusual number Canadian court decisions reveals that a more restrictive view of parliamentary privilege there.

It is inevitable in a parliamentary democracy, where fundamental constitutional principles, like the Rule of Law and ministerial responsibility to Parliament apply, to find conflict between the legislature and its members, on the one hand, and the Executive and the courts, on the other.

Canada's Supreme Court recently has recognized that the Rule of Law embraces, inter alia, the principle that “.... “the law is supreme over officials of the government as well as private individuals, and thereby preclusive of the influence of arbitrary power... (This) principle requires that legislation be applied to all those, including government officials, to whom it, by its terms, applies.” (*British Columbia v. Imperial Tobacco Canada Ltd.*, [2005] 2 S.C.R. 473, paras. 58, 59, quoting *Reference re Manitoba Language Rights*, [1985] 1 S.C.R. 721 at 748). The supremacy of law and the absence of arbitrary power necessarily imply that law framed in general terms is to be applied equally to everyone. If every person is subject to the law of the land, whether that law has its source in the common law or in legislation, does that mean that nobody can claim immunity from the operation of a particular general law?



At the same time, Parliamentary law defines the “peculiar rights” which an elected body like the Canadian House of Commons and its individual members must possess in order to perform that body’s constitutional responsibilities. Moreover, parliamentary law, “though part of the law of the land, is to a certain extent an exemption from the general law” (Erskine May, *ibid.*). On what basis is a conflict between the application of general law or constitutional principle and parliamentary law to be resolved?

The proposed paper would address these general issues by reference to the following recent examples:

1. the common law of defamation protects individuals from damaging statements to their reputation. A defamatory statement, whether made at a public meeting or during a parliamentary proceeding, is equally damaging to an individual’s reputation. What if made by a member of Parliament in a report to constituents? On television?
2. a Minister of the Crown and member of Parliament may have relevant evidence to give at a civil or criminal trial. But in fulfilling this public duty of testifying in a judicial proceeding, he or she will be unavailable to perform the duties of a Government Minister and member of Parliament.
3. an employee of the legislature complains to the Human Rights Commission of employment discrimination. Does the Commission have jurisdiction to proceed with the complaint?
4. the Privacy Act imposes a general prohibition against the disclosure of personal information under the control of a Government department. A Minister is unable to answer a question asked in Parliament without

5. disclosing personal information and contravening the statutory prohibition.
  
6. during parliamentary committee proceedings examining a Government program, the witness (Government Minister) refuses to disclose certain documents. Those documents would not have been subject to disclosure to a court on grounds of public interest immunity (Crown privilege).

**SECTOR SOLITUDES: THE MEANING OF THE LACK OF  
LINKAGES BETWEEN IMPORTANT CLUSTERS IN THE  
CANADIAN ECONOMY (AUTOS AND FUEL CELLS)**

**Maureen Appel Molot**  
Carleton University

Vehicles and parts comprise Canada's most important manufactured export. The auto industry powers the Ontario economy and accounts for one in seven jobs in the province. It is also an industry in which the assembly sector is totally foreign owned, which means that critical decisions about production and research and development are made outside the country. Ownership in the parts sector is mixed: some of the significant parts firms are Canadian-owned, others owned by companies from the US, Germany and Japan. Some auto industry R&D is done in Canada, but it is not in leading technology areas.

In contrast to the auto sector, Canadian companies were early movers in research on, and commercialization of, capacity in fuel cells and related technologies. Although Canada ranks 5<sup>th</sup> in the number of fuel cell patents by country, the Canadian fuel cell industry ranks highly when measured in terms of the number of firms in the sector producing patents and the range of technologies covered. Canada is also an active participant in the International Partnership for the Hydrogen Economy (IPHE). In other words, Canada is a small open economy trying to retain some comparative and competitive advantage in the race to produce commercializable fuel cell technology while at the same time lacking linkages between its most important manufacturing sector and a dynamic new sector. In this regard, Canada resembles leading developing country countries, for example Brazil, South Africa, China, and India, in which auto assembly is a leading driver of industrialization and in which research on fuel cell technologies has begun, but in which like Canada, there is a disconnect between innovation capacity and a critical industry in which technological change is accelerating.

The paper analyses the structure of the clusters and provides explanations for the lack of linkages between them. The paper will conclude with an assessment of the implications of the current situation and some policy recommendations that might improve the situation (and by implication the strength and longevity of both clusters).

**CONFLICT MANAGEMENT AND RESOLUTION AS A  
PARTICIPATORY METHODOLOGY AND ITS APPLICATION IN  
DEEP CONFLICT ENVIRONMENTS**

**Beth Franklin**

**David Morley**

York University

This paper reflects on Conflict Management and Resolution as a participatory methodology viewed in the context of the extension of its application to aspects of deep-seated and prolonged societal confrontations, such as that between Israel and the Palestinians. This methodological perspective draws on extensive experience in the use of participatory action research to address complex problem contexts that are aspects of local, national, and international conflict. Reference will be made to the experience of Canadian-based projects engaged in such situations relating to health, poverty, and environment in the Caribbean, East Africa, and India.

Contextual action research, presented here as the basis for refocusing conflict management approaches to complex disputes, involves the engagement of diverse and competing interests in a process aimed at reframing the context of confrontation in the direction of joint possibilities, shared interests, and collaboration based on common ground. The outcomes of such activity include institution building, long-term policy shifts, and community-based organizing as the means of sustaining the gains achieved by the process.

Emphasizing the initiation of interaction across traditionally closed boundaries, the approach redefines the agency of the facilitator/negotiator as connector and designer of collective contexts for dialogue, at the direction of the participating interests drawn from the particular conflict setting. This is “middle ground” activity attempting to balance overconfidence and positive illusions on one hand and a cynical sense of hopelessness on the other, which characterize the negotiating style of many conflict resolution practices. In this respect, a contextual approach to conflict resolution

extends the process to include the psychological and spiritual undercurrents that reflect the history of oppression and powerlessness which fuel the apparently intractable positions of actors in such crisis contexts.

In presenting conflict resolution as an emergent methodology, the paper will consider the linkages between local (micro) expressions of conflict management and the wider national, regional, and international (macro) process of which they are part. To what extent are conflict resolution practices dependent on the state of the overall political process or are they capable of initiating extensions of such process by demonstrating local successes? How can such fragile participatory processes respond to the threat of violence and extremism? How significant are conflict resolution enterprises within the “whole system” of actions that are associated with the confrontation at such enormous divides in human society?

**LOOKING SOUTH LOOKING EAST:  
PROSPECTS FOR REFORMING THE JUDICIAL APPOINTMENT  
PROCESS OF THE SUPREME COURT OF CANADA IN LIGHT OF  
THE SUCCESS OF THE ISRAELI SYSTEM**

**Daniel Nadler**  
University of Toronto

During a conversation with this writer at a dinner party in Montreal, Irwin Cotler, Canada's Minister of Justice and Attorney General, commented that the appointments of Justices Charron and Abella, "two outstanding jurists who *happened* to be women" gave Canada "the most gender-equal Supreme Court in the world." The demographic representation of the Court is clearly on the mind of Mr. Cotler, as well as opposing networks of both interested and arms-length parties who with each new appointment, alternatively laud and castigate the representational-effectiveness and 'democratic-ness' of the Court. This survey seeks both to inform and re-define this polemic. The comments of my dinner company notwithstanding, how demographically representative of the Canadian nation is the Supreme Court and to what extent does the appointment process of Supreme Court Justices incorporate multifarious demographic considerations, of which gender and provincial-origin are but two. The growing judicialization of politics; the transfer of national-status questions, restorative justice formulae, and with the advent of the charter, the fundamental dilemmas of civil society into the judicial sphere have empowered what some writers deride as an un-elected "juristocracy" to play a growingly critical role in determining, defining and resolving the workings of the Canadian polity.

To what extent are condemnations of 'juristocracy' founded on non-partisan soil? Should Canadians in any case worry if the end result is salutary: the advancement and entrenchment of progressive and equitable social norms? Establishing the extent to which "un-elected" power means "un-democratic" power requires a broad analysis of the judicial appointment process that balances normative-theoretical valuations of "democracy" against the "special character" of the Canadian nation and the meteoric

empowerment of the courts. Consequently, I will first evaluate the democratic-ness of the Canadian Supreme Court's appointment process, and then evaluate the extent to which that question should even concern Charter Canadians and Nation-Builders attempting to inscribe into our political culture a progressive and equitable foundational narrative. Having established the need for a certain degree of reform, I then look South and East for informative models and settle upon the current Israeli system, which is brewed with the most advantageous mixture of 1) deference to professional expertise 2) relative depoliticization of the process 3) attempts at manifesting the demography of the nation in the composition of the bench.



**PEACE PROCESSES FOR ETHNIC CONFLICT REGULATION :  
CASE STUDY OF CANADA/QUEBEC AND ISRAEL/PALESTINE**

**A.S. Narang**

Indira Gandhi National Open University

Ethnic conflict is a persistent feature of modernity. But the last few years have brought seismic changes in the relations between several ethnic communities around the world. Accordingly there are processes and efforts for their management and resolution. In that some parts of the world appeared to be trapped in dead lock ethnic wars, where no faction is sufficient powerful completely to control or crush its opponent (s), for instance, Myanmar, Chad, Peru and Sudan. In happier zones ethnic communities have been able to negotiate agreed changes to their political systems, notably in Belgium, Canada and Switzerland. Yet other sites of ethnic conflict live in a twilight world between dead locked war and permanent negotiations : Cyprus, Northern Ireland and Sri Lanka. In recent Past Canada/Quebec, Northern Ireland/U.K and Israel/Palestine have been important subjects and objects of inter ethnic negotiations.

The management of ethnic conflict has long been, and remains, a fundamental prerequisite for the maintenance of Canada as an effective political entity. Of course Quebec remains the major concern in that. The three most important types of conflict management responses that have been employed in the Canadian state according to observers broadly conform to the well-known theoretical models of consociationalism, federalism and control. As S.J.R. Neol points out, today the unresolved tension in Canadian federalism is not between consociationalism and control, democratic and non-democratic alternatives, but between two equally legitimate and historically rooted conceptions of democracy. One widely but not passionately held : has its core idea of democracy as power sharing. The other also widely held and articulated with growing vehemence, has its core the idea of majority rule. Within these differences the democratic process continues. There is also

substantial support for a constitutional set up. The primary belief here is that despite difficulties associated with it, genuine democratic federalism is clearly an attractive way to regulate ethnic conflict within the state.

Israel/Palestine conflict in West Asia is of different nature than usual ethnic conflicts. It is neither inter-state nor intra-state. Yet there have been efforts for conflict resolution through processes of accommodation and control. Peace process got a boost when PLO leader Yasser Arafat accepted United Nations Resolution 181 in 1988, in the process tacitly recognizing Israel. The Oslo Accords signed in 1993, led to the establishment of the Palastenian Authority and the promise of a Palestinim State. Israel's withdrawal from Gaze strip was a significant step in that direction. Victory of Hamas, which has earlier rejected the Oslo Accords. In recent elections has raised new doubts about the continuation of the process. At the same time, according to some observers this victory does not necessarily signal the rejection of the two-nation solutions to the long running problem. Hamas won because of a variety of factors and not just on its ideological stand. Also Hamas leadership has indicated that there is no religious prohibition against negotiating with Israel and that the provisions in its charter for the destruction of Israel are not indelible. For realistic solutions it is not necessary only to continue with existing system of negotiations but also can take new forms after drawing lessons from earlier/or even failed initiatives.

The paper analysis the above two cases of conflict resolution in the context of their origin, development, successes and challenges peace processes face. On the basis of that it attempts to identify possible trends and directions in the democratic methods of ethnic conflict regulation.

## **A PREDATORY DESIRE FOR WILDERNESS**

**John O'Brian**

University of British Columbia

In this paper, I want to investigate why a predatory desire for wilderness in Canadian art persisted for so long into the twentieth century. Why were representations of an “empty,” northern habitat so readily embraced by viewing audiences? What was the particular appeal of Lawren Harris’s description of the spiritual geography of Canada as “the great North and its living whiteness,” and what ethnic and racial conflicts were painted over by it? What mongrel versions of the landscape, of the industrialized north with its mining and lumber enterprises requiring the use of immigrant labour in order to succeed, were disavowed in the name of purity? What was the advantage of promoting Canadian modernity in terms of a wilderness ethos instead of an urban, multiethnic ethos? How did that ethos facilitate “accumulation by dispossession,” to borrow David Harvey’s phrase in *The New Imperialism*? And what, precisely, were the shifts in the 1960s that finally gave the lie to the construction of a wilderness without conflict as the defining characteristic of Canadian identity?

In the 20th century, wilderness paintings helped to shape how Canada imagined itself. They provided audiences with “a shared image of their communion,” to cite a famous phrase by Benedict Anderson. The communion – which is to say, the imagined collectivity of Canada – was largely protestant at the beginning of the century, notwithstanding large catholic populations in Quebec and disenfranchised aboriginal populations everywhere. The imagined collectivity, like the wilderness myth itself, was also largely male, signified by the no-nonsense wooden tables at the Arts and Letters Club in Toronto, where the Group of Seven landscape painters and their friends met to socialize. Wilderness painting played a significant role in promoting a postcolonial identity in Canada; it served to represent the nation as beyond conflict.

The artists and art writers of few other countries – possibly of no other country – expended as much energy in the twentieth century debating the expressive potential of landscape as a subject for art. At a time when discourses around landscape were taking a back seat in Europe and the United States to discourses around figuration and abstraction, in Canada they were ascendant. As the English artist and writer Wyndham Lewis noted at mid-century, the Group of Seven “chopped out their paintings as if they had been painting wood.” The authority of landscape representation was contested in Canada, as I propose to discuss, but it remained dominant until long after it had been demoted in the art of most other Western nations. It was not until economic pressures and demographic changes in the 1960s and 1970s helped to promote multiculturalism as a new ideal of national identity that the tropes of wilderness and northernness began to lose their dominant hold. The Canadian fixation on a transcendent wilderness was not easily dislodged.

## **CULTURAL CONFLICT IN THE NOVELS OF MARGARET ATWOOD**

**Mithilesh K.Pandey**  
Purvanchal University

Margaret Atwood, a Booker prize winner and celebrity of the millennium year has occupied a unique position in the history of Canadian literature who as she says "tried very hard over the past few decades to demonstrate our own existence, our own right to exist. "In most of her novels, she problematised the whole history of Canadian literature, from the resolute denials of its existence to the determined assertion of its distinctive growth. It is obvious that Canadian writers living in a specific geographical boundaries work under specific socio-political, historical and cultural conditions of the land but they articulate sharable human concerns and situations responding to their 'situative anxiety' and 'situative tendencies'. However, the ambience and milieu of the land co-mingles with the creative urge of its people before shaping the contours of its literature and Atwood is not an exception. As a representative novelist of the contemporary world, she became aware of the problems facing Canadians. She vigorously exhorts her countrymen to abandon their collective inferiority complex to face their problem of a divided culture realistically and prudently. Atwood's most of her novels deal with the idea of colonial consciousness as well as cultural conflict of the Canadian people. Her publication of fictions like *THE EDIBLE WOMAN* [1969], *SURFACING*, *LADY ORACLE*, and *THE HANDMAID'S TALE* [1985] became very popular and drew attention of peoples of both inside and outside of Canada in its concern with ethos of its people, representation in language, its feminism, its interactions with European and native Canadian myth and history and ultimately its focus on the meaning of personal and national identity. . Therefore, this present paper attempts to explore the various interrelated physical, psychological, social and cultural conflicts of the Canadian people as portrayed in the novels of Margaret Atwood.

**THE FALSE DICHOTOMY:  
LIBERAL JUSTICE VS. LOCAL NORMS;  
ON THE IMPORTANCE OF HETEROGENEITY  
WITHIN ILLIBERAL COMMUNITIES.**

**Nahshon Perez<sup>1</sup>**

The Hebrew University of Jerusalem

How a liberal state ought to relate to illiberal communities within its borders? The answer proposed recommends emphasizing inner community heterogeneity within illiberal communities. This heterogeneity is significant due to two points: first, the sociological accuracy is important in itself, and second, it has normative significance. One such notable significance is that the dynamics within illiberal communities contribute to the reduction of exit costs. This in turn, leads to a normative reevaluation of such communities from a non paternalist liberal point of view. The dynamics within the Ultra Orthodox community in Israel, and the Hutterite communities in Canada are illustrated as an example to the approach suggested.

The last section of the article deals with the following problem: how the 'external' interpretation of internal occurrences within the communities relates to the 'internal' understandings of these occurrences? I suggest that this gap, that I name the '*liberal cultural gap*', is important due to the emphasis given in this article to inner community occurrences, however, keeping the mentioned gap is important in order to enable the continued existence of the community world view. This suggestion corresponds to the way John Rawls restated the 'publicity condition' in '*Political Liberalism*'. I conclude by emphasizing the importance of a sociological sensitive approach to the problem of illiberal communities.

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## **CONFLITS EN PRÉSENCE CHEZ AMOS OZ ET MORDECAI RICHLER**

**Chantal Ringuet**  
Université d'Ottawa

Écrites à quelque cinquante ans de distance, les œuvres *Soul of a Heroes's Son* (1955) de Mordecai Richler et *Une histoire d'amour et de ténèbres* (2004) de Amos Oz abordent toutes deux la notion de conflit à travers ses dimensions individuelle (familiale) et collective (socio-politique). Tandis que la première focalise sur le conflit entre canadiens anglophones et francophones, qui est mis en lumière par une relation de lutte entre père et fils, la seconde représente le conflit israélien entre arabes et juifs, qui est mis en scène à travers une relation douloureuse entre mère et fils. Ces deux récits autobiographiques appartenant à des littératures naissantes, l'une juive canadienne, l'autre hébraïque moderne, offrent donc des portraits saisissants de conflits. En outre, elles présentent de points de rencontres significatifs permettant de réaliser une étude comparative sur la représentation littéraire du conflit et ses issues potentielles au Canada et en Israël.

Outre les œuvres, ces points de rencontres sont perceptibles dans le parcours des auteurs eux-mêmes: en dépit des nombreuses divergences qui les caractérisent, Mordecai Richler et Amos Oz présentent, en effet, plusieurs ressemblances. Écrivains juifs issus de l'émigration polonaise dans l'entre-deux guerres, tous deux ont fait grand cas de l'héritage juif est-européen sur leur éducation, en montrant les tensions nombreuses et variées qui en découlent dans leurs textes. De plus, chacun est considéré comme l'écrivain le plus important dans son contexte culturel.

Dans cette perspective, la présente communication a pour but de faire dialoguer *Soul of a Heroes's Son* et *Une histoire d'amour et de ténèbres* sur la question du conflit. Il

s'agira d'abord d'analyser le traitement littéraire du conflit socio-politique et familial que ces oeuvres sous-tendent, en examinant l'impact de l'un sur l'autre. On dégagera ensuite leurs similitudes quant à la fonction symbolique du conflit dans l'entreprise littéraire des auteurs. Cette fonction est attribuable à deux dimensions précises des textes, la première relevant du réalisme historique, et la seconde, de l'appropriation subjective de l'histoire par un protagoniste masculin. Enfin, on interrogera l'existence d'une vision salvatrice du conflit – sous ses multiples formes – chez les auteurs.



**THE ELAN OF A POALEI ZION ACTIVIST:  
YEHUDA KAUFMAN AND HIS CANADIAN CAREER, 1913-1917**

**Ira Robinson**  
Concordia University

The early twentieth century witnessed an unprecedented migration of Eastern European Jews, largely to Western Europe and the Americas. It is in the nature of the compartmentalization of the historiography of this migration that oftentimes the European and North American careers of individuals caught up in this mass migration are treated separately, and that those who know one phase of the career often know little or nothing about the others.

This is certainly the case of Yehuda Kaufman (Even Shemuel) (1886-1976), scholar and Zionist activist. His career involved Zionist activism in the Russian Empire as a member of Poalei Zion, and pursuit of *Wissenschaft des Judentums* in London and Paris prior to his emigration to North America in 1913.

While this paper will touch on Kaufman's European experience, it will concentrate on his stay in North America from 1913 to 1927, prior to his emigration to Palestine and his involvement with the politics, culture, and scholarship of the Yishuv in Palestine and later in the State of Israel, which richly deserves its own study. It will focus in particular on Kaufman's years in Montreal (1913-1917).

During his stays in Montreal, Kaufman was active in many spheres. He received a university education (McGill University), in the pioneering era of Jewish studies in North America. He also while significantly contributed to the cultural life of the Canadian Jewish community as an educator, community activist and organizer, journalist, editor, and popular lecturer in Yiddish and Hebrew.

Archival material related to Kaufman's Canadian sojourn will be utilized in order to better understand his intellectual development as well as to clarify the nature of his involvement with significant communal educational, cultural and political issues. These include Jewish education, the Yiddish press in Montreal, and the process of organizing the Canadian Jewish Congress. It will also allow us to better understand important aspects of the development of the Eastern European immigrant community in North America at a critical phase of its development.

**RACISM VERSUS PROFESSIONALISM:  
CLAIMS AND COUNTER-CLAIMS ABOUT RACIAL PROFILING**

**Vic Satzewich**

**William Shaffir**

McMaster University

It is not an exaggeration to claim that racial profiling constitutes a lingering social problem in search of an immediate solution. Indeed, the persistence of such profiling by the police is offered as indisputable evidence that minorities, in general, but blacks, specifically, remain unjustly targeted by police and other agencies of social control. In recent exposes of the Kingston and Toronto police services in Ontario, evidence is presented that black drivers are stopped by police considerably more frequently than their white counterparts; as well, when stopped, blacks are more likely to be charged and arrested.

This paper seeks to map the sociological dynamics underlying racial profiling. Based on a series of extended conversations with police officers in a Canadian metropolitan police service, as well as members of the local black community, we identify the claims and counter-claims advanced by the respective parties to the dispute. Whereas police maintain that their attention and sensitivity to matters of a racialized nature have undergone profound change, blacks contend the opposite, citing racial profiling as the clearest case in point. The puzzle pieces begin fitting together when we recognize that the very behaviour that police define as criminal profiling, and essential to successful policing, is defined as racial profiling by their critics. Stated differently, the same behavior undergoes different social constructions by opposing sides to the controversy.

**OTHER CULTURES, OTHER PLACES, OTHER TIMES:  
CANADIAN TEXTS OF RESISTANCE  
AS A MEANS FOR CONFLICT RESOLUTION**

**Danielle Schaub,**  
Oranim Academic College of Education

In areas governed by strife, Canadian texts negotiating space and place for a minority group may offer neutral ground for self-expression and the development of empathetic responses. With their display of dissent, texts of resistance provide a rich source for ethnic groups repressed by social and/or political factors to locate points of empathy and self-expression of repression, trauma, anger and healing for their personal circumstances. Read in the safe distancing of other cultures, other times, other bodies, such texts enable the externalisation of numbing alienation and traumatic experience. By analysing content and textual strategies, students from different geopolitical contexts can examine how minority groups elsewhere in the world express antagonism and establish their self-integrity in a fluid and kaleidoscopic culture under the primary control of dominant groups other than their own. Simultaneously and specifically, such approaches can help open empathetic communication between groups ambivalently delineated by prejudice, fear, longing, hate and desire.

In heterogeneous Israeli classes of Beduin, Christian, Druze, Jewish, Muslim and other self-identified students, experiments with texts of resistance help to apprehend the local conflicts faced every day and re-negotiate communities. In the culture clash between self-defined ethnic and religious communities, the psychodramatic critique of minority conflicts elsewhere in the world represented in literary texts allows the students to imagine communities within non-exclusive borders along lines of common interests. The analysis of their responses to Beatrice Culleton's *In Search of April Raintree*, for instance, and particularly of their interaction with their responses shows how by reading texts about people involved in conflictual situations, that differ, yet

remain similar to their own, Middle-Eastern students can look at their own predicament with a less jaded eye. The pedagogical impact of the literary approach involving serious student involvement cannot be overlooked particularly when the audience undergoes the sort of interactive activity that the students engage in. The interaction based on extracts from the students' writing clarifies how the introduction of such texts and activities empowers students, enabling self-expression and inspiring their unfeigned respect for opposed views.

**THE FINANCIAL CRISIS FACING CANADIAN CITIES  
THE PROBLEM OF FISCAL IMBALANCE**

**Harvey Schwartz**  
York University

My paper deals with the problem of fiscal imbalance. I am particularly concerned with flows of revenue between the municipal, provincial and federal governments in Canada. The City of Toronto is used as an example. Toronto faces a large net outflow of tax revenue to the federal government. It also experienced a large net outflow to the Province of Ontario in the late 1990's. But today, the flows with the Province are close to being balanced.

My paper looks at how fiscal imbalance arose and what can be done to reverse it. It also looks at the revenue problems facing the City of Toronto and how these problems could be overcome. I also will look at the problem of fiscal imbalance in other counties and what they done to overcome the problem.

## **CHILD-HITTING AND COURT PROTECTION IN ISRAEL AND CANADA – WHY THE DIFFERENCE?**

**Leslie Sebba**

The Hebrew University of Jerusalem

In 2000 Israel's Supreme Court upheld the ruling of the Tel-Aviv District Court to the effect that for a parent to administer corporal punishment to a child was a criminally punishable assault. In 2004 the Supreme Court of Canada, on the other hand, refused to invalidate the "educational defence" provided to a parent under the Criminal Code, so that corporal punishment remains legal. Do these different outcomes derive from formal differences in the legal situation in the two countries at the time - e.g., in that that an express defence was provided in the Canadian Criminal Code, but in Israel only in the civil law? Or is the explanation rather in different approaches to judicial activism, or to other socio-political variables considered in the literature on judicial decision-making (cf. Carp et al, 2004)?

The presentation will consider the background of the two cases and the explicit rationales of the respective courts, in the light of the theoretical literature. It will build on the writer's earlier analyses of (a) the Israeli court decision (Sebba, 2003) and (b) the international movement to prohibit child-hitting under international law (Sebba, 2005).

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**A DIVIDED HEART?  
CONFLICT AND CONFLICT RESOLUTION IN THE POETRY  
OF FOUR CANADIAN-JEWISH POETS**

**Mark Elliott Shapiro**

This paper will consider several categories of conflict in selected poems by Irving Layton, Eli Mandel, Seymour Mayne and Miriam Waddington. The categories will include conflict between Jewish and Canadian identities, conflict between the poet's identity as a Jew and a poet, conflict between Jewish and Israeli identities, and conflict between the Jew and general society. The methods by which these poets resolve the conflicts – or choose not to resolve them – will be explored.

Central in the discussion will be the use of Biblical figures and motifs and treatment of the subject of the Holocaust.

References will also be made to selected poems on such topics by Israeli poets, such as Dan Pagis, Dahlia Rabikowitz, and Yehuda Amichai.



**INSCRIBING UNIVERSAL VALUES  
INTO THE URBAN LANDSCAPE:  
NEW YORK, JERUSALEM AND WINNIPEG AS CASE STUDIES**

**Noam Shoval**

The Hebrew University of Jerusalem

**Elizabeth Strom**

University of South Florida

The growing importance of culture in contemporary society together with the rising importance of tourism in the economic base of post-industrial cities has led in recent years to the construction of new “Flagship-Museums” (characterized by their size and spectacular architecture), and the expansion of many existing museums. Their purpose is to capture the public imagination, to attract tourists and to promote the notion that those cities have successfully transformed themselves from centres of manufacture into centres of culture.

These current trends have given rise to a new breed of museums: institutions established by foundations with specific, value-laden educational agendas (e.g. liberty, tolerance and human rights.) These agendas could, of course, be seen as political, as the creators of these museums generally seek to present just one of the many possible interpretations of these values. This phenomenon is characterized too by the gigantic investment (public and private) in the structures that host the “collections,” and by the use of signature architecture, along with the idea that the architecture itself helps convey the message of the museum.

This paper, using three case studies, will examine the emergence of this new extension to the “Flagship-Museum Paradigm” of urban development. The investigation will focus on the different types of interfaces between the city governments and the organizations that promote the museums, the politics behind the planning process, the controversies related to the projects and finally to the attitudes of the local population toward those schemes.

The case studies for this paper will be the *International Freedom Center* in NYC that will be the principal tenant of the World Trade Center Memorial Cultural Complex, In Jerusalem, the Simon Wiesenthal center builds a 250\$US (million) *Museum of Tolerance* designed by Frank Gehry. In Winnipeg, the 300\$CAN (million) *Canadian Museum for Human Rights* is soon to be built.

**CONFLICTING POWER RELATIONS  
IN ATWOOD: A STATE OF DYSTOPIA**

**Sunaina Singh**  
Osmania University

A study of Atwood's novels shows that her concern and concept of the future world is somewhat foreshadowed by the past even as these are being shaped in the present and make for dire warnings in a world on the verge of collapse. These foreshadowing of the past manifests itself in Atwood's fiction in the form of various figures and events from myths and folklore which abound in her writings. Atwood continues to write in the hope of opening up new possibilities through revisionary narratives which might be helpful in averting irremediable loss and destruction. Her main thesis is that anything carried forward to an extreme has potential evil in it. Whether it is patriarchy, feminism, religious fanaticism or scientific thought, her plea is for balance.

My paper proposes to look at Atwood's individualistic theories of conflict in the postmodern society. The focus in this paper is on power relations in The Handmaid's Tale where Atwood takes the next logical step after the identification of the element of power politics and its impact on the future world.

If society is considered to be a monolithic whole with all differences effaced it would indeed become a Utopia, but what or rather who would ensure that it does not develop into a Dystopia? After all, the picture of the society as a "totality" is not free from the "intentions" of the ruling class with which it is "loaded". perhaps dissent and conflict then become necessary to maintain balance in the society. Atwood raises pertinent questions of basic conflicts arising out of power politics in a world that increasingly seems to be regressing.

**TENDENCIES IN JUVENILE JUSTICE IN ISRAEL AND IN CANADA  
COMPARATIVE VIEW**

**Limor Solomon**

The Hebrew University of Jerusalem

Lately, the voices of those calling for harsher sentences and punishments for juvenile delinquents in Israel have gotten stronger. The prevailing myth is that the lenient and forgiving tendencies of the Juvenile court are a direct cause of the escalating characteristics of juvenile delinquency.

These voices, which personify a "Get Tough" approach, call for a sharp shift from the prevailing rehabilitative model of Juvenile Justice practiced in Israel, to a punitive system similar to that used on adult criminals.

This approach is, in fact, a reflection of the approach popularized throughout the US in the 1970's, an approach which had resulted in slogans such as "adult crime-adult time".

These harsh approaches in the US, by those who espoused an ideology of "law and order", had resulted in the present statistic in which 1 in 5 minors in the US stands trial in regular adult criminal court and punished accordingly. The percentage of minors which are serving prison sentences in the US is one of the highest in the world.

These "Get Tough" approaches which were prevalent in the late 20<sup>th</sup> century, had also become popular in Canada. Amendments which were added to the Canadian Young Offenders Act, 1984 had resulted in a severing attitude towards the sentencing in Juvenile court and of a higher number of minors who stood trial and who were sentenced in adult court. Minors had actually been sent to prison for rather minor offences. In the late 1990's data had shown that the percentage of minors jailed in Canada was the highest in the Western World, higher than even the US.

During the late 1990's and the beginning of the present century, several broad based comparative studies had taken place (some were commissioned by federal bodies, dealing with the prevention of juvenile delinquency), which had sought to find out the effect of the criminal proceeding and sentencing on juvenile behavior. These studies had compared between minors who had been sentenced by the juvenile courts and those (usually for similar crimes) who had been sentenced by the regular adult criminal court.

The conclusion arising from these studies was one: the sentencing of juveniles as adults and the imposing of severe sentences did not decrease violent behavior in minors. On the contrary, it resulted in a higher recidivism rate in most offences and especially in violent ones.

Based on these results and as a result of the growing dissatisfaction with the current system, the existing law and the large number of minors sent to prison each year, Canada had legislated a new law dealing with the criminal proceedings and sentencing of minors (The Youth Criminal Justice Act, 2003). The new law had, once again, defined the juvenile justice system as a system aimed to prevent juvenile delinquency, by rehabilitation of those young offenders. The law constrains the courts discretion and instructs it to decrease the amount of prison sentences imposed on young offenders. It sees the protection of the public as a long term objective only and not a goal on to itself. It offers a variation of tools external to the judicial system for the rehabilitation of minors, broadens their use and emphasizes punishments which encourage young offenders to take responsibility over their behavior.

Israel tends to follow the US in legal approaches. About 50 years after the first juvenile court was established in Chicago, the first one was similarly established in Israel. With a delay of 40 years the "Get Tough" approach to juvenile sentencing has finally arrived in Israel. Learning from the Canadian experience, based on the insights gathered from the different studies, insights which were adapted in Canada and incorporated into the new juvenile law, will enable the Israeli society to refrain from

mistaken approaches. Thus, it will hopefully avoid making the mistakes, which had inflamed the "moral panic" regarding juvenile violence, but which hadn't, in any way, helped prevent it.

The paper I would like to present at the biennial conference on "Conflict management and resolution" will present a comparative review of juvenile justice trends in Israel and Canada. This review will concentrate on the new approaches dealing with young people in conflict with the law prevailing in Canada, approaches which put an emphasis on extra-judicial measures (i.e. Restorative Justice) and re-integration of delinquents into society.

## **CIVIL SOCIETY, NGOs AND CONFLICT MANAGEMENT EFFORTS**

**Gerald M. Steinberg**  
Bar-Ilan University

There is a widespread belief that civil society can play a useful role in promoting human rights, humanitarian assistance, and peace making in areas of ethno-national conflict. This belief is often based on the contact hypothesis, initially published by Allport (1954) and subsequently developed by Pettigrew, Amir, and many others. Mechanisms include joint functionalist projects, intercultural and inter-religious dialogues, people-to-people programs, etc. On this basis, philanthropies and governments, including in Canada, have provided extensive funding for a wide spectrum on NGOs.

In this paper, we will we analyze this approach in the context of protracted ethno-national conflicts, in general, and the Israeli-Palestinian case, in particular. The analytic framework includes questions related to the normative difference between the contact hypothesis involving small groups and political disputes; and the differences between programs involving externally funded NGOs functioning in democratic societies in comparison to those operating in closed and non-democratic frameworks.

Through this framework, the paper will examine the empirical evidence regarding the impact of dialogues, cooperative projects, etc. involving NGOs and civil society on the wider political relationship in the Israeli-Palestinian case; the degree to which such activities have a measurable positive spillover to people who are not directly involved in the activities (“the micro to macro” problem); and the evidence of counterproductive outcome that increase the conflict, rather than the opposite.

**INTEGRATIVE CONFLICT MANAGEMENT SYSTEMS (ICMS) FOR  
COMMUNITY PEACE BUILDING AND CONFLICT RESOLUTION  
RESOURCE DEVELOPMENT**

**Molly Tepper**

Creativity, flexibility, and responsibility are integral to successful conflict resolution processes. Canada's experimentation in this field has created a diversity of effective mechanisms, one of which, an Integrative Conflict Management System, (ICMS) can be used to pool the resources of all the others, addressing the unique and specific needs of groups, organizations and people in conflict.

Over the last five years, Integrative Conflict Management Systems (ICMS) have been established for large corporations and government departments within Canada providing multiple access portals, and creative, proactive conflict resolution solutions. ICMS's integrates Appropriate Dispute Resolution (ADR) mechanisms, such as mediation, conflict coaching, and binding arbitration with more traditional grievance procedures of unions, and litigation processes.

Communities in Canada are currently attempting to address societal conflicts caused by intense diversity as our cities undergo cultural transformations due to immigration. In previous work done<sup>2</sup> in public housing communities, a conflict assessment revealed a trend toward divisions caused by economic disparities, cross cultural issues, and general socio-political disempowerment. The assessment recommended a variety of ADR processes be applied. While not sufficiently recognized at the time, the assessment was calling for an ICMS for communities and as a result, the processes failed to be supported and never happened.

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<sup>2</sup> Contracted to provide an internal assessment for a community based conflict resolution center, The Neighbourhood Coalition for Conflict Resolution (NCCR) Ottawa 2001.



Applying an ICMS approach to communities has many advantages. First and foremost, it involves the community members directly in the act of creating and working towards peace, finding individualized solutions for their situation that they themselves can enact and live with. In other words, it is a conflict resolution intervention in and of itself. Second, as all good ADR practitioners understand, the combining of flexible, multiple processes and access points, ensures the success of the conflict resolution mechanisms over a longer period of time. Third, by recognizing the processes as part of a holistic system, promotion and financial support of all the mechanisms becomes viable.

ICMS's for communities would have four core segments, which can be "mixed and matched" to meet the needs of the community in question. These four segments are: **1) *decision-making processes*** (i.e. - mediation, environment or public policy conflict resolution, facilitation, arbitration, etc.) **2) *Reconciliation processes*** (truth and reconciliation councils, Peace witness groups, healing circles, restorative justice processes, victim offender mediation) **3) *cross cultural conflict resolution process*** (integrated communities/ schools programs, roundtable dialogues, diversity youth camps, etc.) **4) *training*** (conflict resolution, non-violent communication, anti-hate/diversity, etc.) The presentation would include an overview and handout of all the various forms of dispute resolution processes currently being used in Canada. The steps to implement an ICMS will also be reviewed.

**INCIDENTS ON MOUNT SCOPUS:  
UNTSO EFFECTIVENESS AND THE 1958 DEATH OF  
LIEUTENANT COLONEL GEORGE FLINT**

**Andrew Theobald**  
Queen's University

When he was shot and killed on Mount Scopus in 1958, Lieutenant Colonel George Flint became one of the first Canadian peacekeeping casualties. This event also represented the culmination of a long series of United Nations' setbacks in supervising the armistice and related conflict containment agreements between Israel and Jordan.

Flint had joined the United Nations Truce Supervision Organization (UNTSO) in 1956. The experienced Canadian officer served as Chairman of the Jordan-Israel Mixed Armistice Commission and was appointed as the Special Representative for Mount Scopus: an Israeli enclave surrounded by Jordanian territory northeast of Jerusalem.

The incidents surrounding Flint's killing were symptomatic of the difficulties of conflict resolution on Mount Scopus, especially as both sides regularly tested the mission parameters, the observers, and their decisions. Nonetheless, Flint and his comrades struggled to do their duty. Although war was barely averted, UNTSO successfully carried out its principal goal of containing wider conflict.

This presentation explores new perspectives on the Canadian experience of unarmed observer peacekeeping, the shaky relations between UNTSO and local actors, and the conditions under which early Cold War peace operations succeeded or failed. Although the Mount Scopus issue is a microcosm of the 1950s Arab-Israeli conflict, at the centre of this story is one individual: a determined, fair, and flawed Canadian soldier who gave his life for the ideals of an international body.

**RESOLVING PERSISTENT DISAGREEMENT AMONG FRIENDS:  
A CASE STUDY OF THE CANADA- U.S.  
SOFTWOOD LUMBER DISPUTE**

**Ilan Vertinsky**

University of British Columbia

**Patricia Vertinsky**

Disputes about Canadian exports of softwood lumber to the U.S. have persisted for more than a century. The most recent trade actions by the U.S. is part of a dispute that dates back to the early 1980s. In this paper we analyze the roots of the conflict and the various processes which have been utilized to resolve temporary flare-ups of the dispute over time. The paper examines both the formal legal channels of dispute resolution that were employed through the World Trade Organization (WTO) and the North American Free Trade Agreement (NAFTA) and its predecessor the Free Trade Agreement (FTA) between the U.S. and Canada. It also examines the informal and formal channels through which both sides negotiated temporary agreements to resolve what the formal channels have not succeeded to resolve. The symbiotic relationships between the WTO, NAFTA and the informal and formal negotiation processes are examined. The paper concludes with an examination of the cultural, political, and economic factors which make a permanent resolution of the conflict highly unlikely despite the fact that from a pure economic perspective free trade in softwood lumber will benefit both economies as a whole. Some constraints on export flows including export taxes and quotas appear to increase social welfare in Canada and decrease welfare in the U.S. Yet Americans resist free trade and Canadians object to restrictions on lumber flows though they accrue benefits to Canada.

The following factors are identified as key barriers to both temporary and permanent solutions to the dispute;

- i) Differences of interests among Canadian provinces and the key stakeholders resulting from different resource endowments and processing capacities that influence their negotiating strategies and positions.
- ii) Differences in resource governance systems between the US and Canada and the US perspective of what constitutes a 'level playing field.'
- iii) Economic interests in the US which dominate the US political economy
- iv) Flaws in NAFTA and the WTO dispute resolution processes.

The paper concludes with a discussion of the likely results of the current dispute in the short and long run.

**COMMUNICATION MEDIA AND COGNITIVE BIAS:  
EXTENSIONS OF THE TORONTO SCHOOL**

**Rita Watson**

The Hebrew University of Jerusalem

The resolution of conflict, between individuals, nations or social groups, is usually achieved through communication. Symbolic handshakes, International Accords and other public manifestations of agreement are the end result of a process: dialogue-based understanding. Misunderstanding can occur when communication breaks down and can be a source of conflict: fights between individuals or wars between countries. These claims seem uncontroversial.

A more radical claim was made by the Canadian communications theorist, Marshall McLuhan: that an increase in violent conflicts could be expected as a consequence of new communication media environments (Marchand, 1989). This claim is the starting point of this paper.

McLuhan's claim was not an isolated prediction but rather part of a broader view of the role of communication in society advanced by the Toronto School theorists (principally McLuhan and H.A. Innis), who argued that the impact of communication on individuals and societies was best understood not by analysis of content but rather of the medium in which that content was conveyed. On this view, diverse communication media – oral vs. written language, newspaper vs. television, internet vs. telephone – have *effects* on their users above and beyond the messages that they convey. These claims about *effects* were originally made on the basis of rational argument and social-historical analyses, although such claims are inherently cognitive in nature.

A re-evaluation of McLuhan's prediction from a cognitive pragmatic perspective is presented. Almost forty years later his insight about violent conflict and new media

seems eerily prescient, particularly as the role played by electronic communication in modern extremism becomes increasingly evident. The resurgence of academic interest in McLuhan's theories (Marchand, 1989; Levinson, 1999; Watson & Blondheim, in press) attests to a new appreciation of their significance. Cognitive pragmatics offers a theoretical framework within which to explore the effects of communication media. It is used in this paper to re-examine McLuhan's claim and to articulate the role of communication in both engendering and resolving conflict.

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**RESTORING JUSTICE IN THE TRADITIONAL WAY:  
THE CASE OF PEACE AND SENTENCING CIRCLES**

**Uri Yanay**

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In recent years Canada has acknowledged, and partly recognized the merit and importance of peace making traditions. These traditions are based on a unique way of dealing with offenders and crime victims. My data is based on a few observations made in the Territorial Court in Whitehorse, Yukon, and focus on 'doing justice' traditions when dealing with First Nations criminal matters.

It turned out that the Territorial Court has formally adopted, as part of its practice, the traditional, First Nation's "Peace Circles" to deal with selected civil and criminal matters. Therefore, some criminal offence committed is seen as a community matter, rather than merely a legal matter. The community therefore has to decide how to deal with an offence, with the offender(s) and with the victim(s) to regain the community spirit and wellness.

I wish to present some of my observations, briefly discuss the theory behind this practice – and the way Israel could perhaps adopt some of the underlying principles of such concept, especially when dealing with traditional groups in its population, who will benefit from 'doing justice right'.

**INVOLUNTARY SIMPLICITY:  
THE GREENING OF THE POOR  
A CASE STUDY OF HAREDI COMMUNITIES  
IN NORTH AMERICA AND ISRAEL**

**Tanhum Yoreh**

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The Haredi communities of the world have often been described as suffering from “willed poverty”. In academic circles this phenomenon is known as “voluntary simplicity”. This is a major component of traditional Ultra-Orthodox ideology. *Pro forma*, Haredim are non-materialistic and do not participate in the consumer culture. It seems, however, that reality is somewhat different from the ideal. Haredim in North America who actively participate in the workforce in much higher levels than in Israel are known to be more affluent. This affluence has influenced their basket of consumer goods and hence their standard of living. In Israel there is a very low participation of Haredim in the workforce, which is mainly a mechanism for avoiding compulsory army service. This has created a severe cycle of poverty amongst the Ultra-Orthodox communities in Israel. Sharing common ideologies, but different geographic, social and cultural influences leads us to hypothesize that Haredim suffer from involuntary simplicity a new term we have coined to explain this phenomenon. The goals of this paper are to demonstrate the differences in consumption between Haredi communities in Canada and Israel, to understand the reasons behind these differences, to identify whether these differences are a product of voluntary simplicity or involuntary simplicity and to compare the basket of consumer goods between the Haredi communities themselves as well as the general population in which they are geographically located.