



UJPO News



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Mike Constable

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The United Jewish People's Order is a national, nonpartisan, socialist-oriented, secular organization, serving Canada's progressive Jews in individual organizations since 1926 and collectively as the UJPO since 1945.

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Banner graphic by Avrom Yanovsky, 1911-1979

UJPO STATEMENT ON RACISM IN 2017

The United Jewish People's Order historically and unequivocally opposes all forms of racism including, but not limited to, the anti-Semitism, Fascism and white supremacy increasingly exposed most recently in Charlottesville, Virginia.

We mourn the murder of Heather Heyer by a white supremacist, and hope for the full recovery of those injured and traumatized by the Charlottesville events.

As a multiracial/multicultural secular Jewish organization, we continue our commitment to join all who have been and are standing up and fighting back. We will continue combating anti-Semitism, white supremacy and Islamophobia. We will support each other wherever and whenever.

To those who desire to join us in this moral, honourable cause we say – WELCOME!

– United Jewish People's Order National Board, August 16, 2017

Ukrainian Odyssey

By Gloria Geller

I never actually intended to travel to Ukraine to visit the family *shtetls*; it was the logical outcome of the genealogical journey I took to learn more about my family*.

Mid September 2011, I travelled with Marty Richman, a cousin through marriage, and his son Alex to Kyiv where we met up with Alex, our Ukrainian guide. Our sojourn through Ukraine included several days spent in bustling Kyiv, after which we travelled west during warm fall days off the beaten track through small towns and villages and onto lightly travelled forest roads to Marty's families' towns, back east towards the Dnieper River in Central Ukraine to the Cherkassy region where my maternal family was from. Then following the river south to the Bugg River, we again found ourselves way off the main highway to the towns of my paternal family, finally finishing our trip in the beautiful city of Odessa on the Black Sea.

How to sum up this unique experience? Perhaps address the obvious, the loss suffered by Jews who had lived in Ukraine for thousands of years. Few people fully comprehend how the holocaust by bullet worked in Ukraine.** The systematic nature by which the Nazis and their Ukrainian collaborators operated as they went from *shtetl* to *shtetl* where Jews often constituted half of the population, were rounded up, placed in local ghettos and eventually moved into nearby forests and were slaughtered by bullet, became overwhelmingly apparent.

It is the elderly in these towns who still carry this knowledge. In our first village we were directed to a 78 year old Ukrainian man, Yakiv Melny, who was eager to tell us what he knew and to take us to the place of slaughter but first brought us into his home and offered us his home made wine. He was of course a boy when he saw the Jews taken to the woods and shot. This was the same story everywhere we went. In some towns where a few Jews remain we were taken around by a Jewish person. In one town a Jewish man told us he knew nothing about what had happened, strange as it may seem. I learned that there were Jewish survivors, including of course



Monument in Odessa

(Continued on page 12)

NATIONAL UJPO NEWS

FROM TORONTO

By Julia Barnett, President, UJPO-Toronto Board

As the summer ends, UJPO Toronto continues to be involved in many different programs and actions.

During the year, UJPO Toronto was engaged in “Dotmocracy” exercises aimed at determining the organization’s social justice priorities. Five priorities emerged: Indigenous rights, racial and economic justice, the environment, sexual and gender diversity and Israel/Palestine. These issues, and others, overlap and intersect as well as providing a guide and focus to our activities in the city, at the Morris Winchevsky School and at Camp Naivelt’s programming.

Below I report on our summer programming primarily at Camp Naivelt, the Shule, staffing developments, and other noteworthy events and date reminders.

Noteworthy UJPO Toronto news:

- Camp Naivelt season was brim-full with numerous activities and planned programming. This is a sample: Our opening day was on July 1 with the Naivelt Free Market and Progressive Feast. July 8 we had our new Zing Zing Zing choir jamming and performing. Throughout July a number of bagel brunch discussions were held including Judy Deutsch of Science for Peace speaking on Environmental Justice; Stephen Lewis with his assessment of the AIDS epidemic and gender violence, forced marriage, and TB and how these issues are interrelated and his place in these issues; story telling and music with Alan Merovitz and lines from his play, *Horses*. Ameena Bajer-Koulak presented a workshop called “Different Fiddle Styles”, and of course aqua-fit in the pool and yoga in the Ritz, or rather “stretching and kvetching”. We had a bagel-making workshop with Alan Cantor and Sarit Cantor patiently leading the way. Last but not least, we had a blast watching “The Big Labowski” movie while drinking White Russians and wearing our favourite bathrobes.
- The annual Peace Tea was held on Sunday, August 6 (Hiroshima Day). Three speakers Sabreena Gaffar Khan, Mohammed Hashim and Cynthia Levine-Rasky spoke to the gathering. Mohammed gave a heart wrenching firsthand account of the immediate aftermath of the Quebec Mosque shooting as well as his difficult work as a crisis communications representative. Sabreena spoke about anti-Jewish and anti-Muslim hate crimes in Canada, unravelling the stats to reveal complications of definitions and over/under reporting, and provided qualitative data to show how much worse the problem might be. Cynthia Levine-

Rasky went into detail about our joint interfaith initiative – The Sisterhood of Salaam Shalom Toronto Circle as a practical way to work in solidarity to fight hate against both communities.

- Music camp, which ran from July 23-29, was led by Martin Van de Ven and Ari Van de Ven culminating in a beautiful concert and chorus led by both him and Ameena Bajer-Koulak from Winnipeg.
- Arts camp, which ran from August 7-12, was led by Michael Burt with an art display to top off the week.

Other events include a discussion with labour organizers for the fight for \$15 Minimum Wage and Fairness campaign. Other August events include game nights, juggling workshops with members of SoCirc, our annual closing banquet night on August 26 and a Bungalow Holders meeting on August 27.

As is evident, summer programming focused on UJPO Toronto’s five social justice priorities.

In addition, there will be new teachers, new programs, new ways of mobilizing and educating ourselves and creating new partnerships as we move into this coming year. ♦

FROM WINNIPEG

By Mark Golden

The Executive Board continues to recruit new members. The duties that Henry Shorr took on during his six years as chair are being reassigned (to Henry himself, among others).

About 40 people attended our annual summer barbecue. Aaron Shorr provided musical accompaniment on the guitar. Attendees made a number of suggestions for future activities.

The North End Jewish Folk Choir continues to be in demand, singing at the Sholem Aleichem Community Passover seyder and the annual commemoration of the uprising in the Warsaw ghetto. The choir will appear at the national meeting of the United Network for Justice and Peace in Palestine and Israel in September and at the Peretz School/Talmud Torah reunion in October.

Members of the UJPO Book Club watched the film “Open Bethlehem”. They may share some activities with members of a local Ukrainian book club in the future.

Itay Zutra completed his four lectures on “Jews in Space”.

We have undertaken discussions with the Sholem Aleichem Community on ways that we can combine our resources and energies (formally and informally).

We wrote a letter to the *Winnipeg Free Press* protesting St Boniface Hospital's decision to stop offering medical assistance in dying to patients. ♦

FROM HAMILTON

Ronnee Jaeger and Sam Blatt reflect on their time in Israel

By Paul Weinberg

Sam Blatt and Ronnee Jaeger made the decision to sell their house in west Jerusalem and leave Israel after living there half the year on an annual basis since 1999.

It was a bittersweet ending since both had been active politically in anti-occupation activity and met many activists and interesting people along the way, both Jewish and Palestinian, inside that conflicted country. And yet, they are also happy to be back in Toronto.

On Sunday June 25 Sam and Ronnee reminisced about their experiences before a small UJPO gathering in Hamilton.

The couple had a front row seat as volunteers working with various NGOs amidst an increasingly harsh right-wing and nationalistic climate inside the bubble of Israel's Jewish population.

It was at Israel's notorious checkpoints surrounding Jerusalem where Ronnee and two other local Israeli women had a significant impact as founders of MachsomWatch (Checkpoint Watch/Women at the Checkpoints) in 2002. The reports written by Machsom Watch volunteers were used by the United Nations to document the humiliations and human rights violations at the checkpoints.

From their inception the goal of the Israel government has been to control the daily movement of local Palestinian residents in territory that Israel seized in the 1967 war and has since occupied in east Jerusalem/West Bank.

Early on the checkpoints were less institutionalized and structured, says Ronnee. She describes them as "cattle-like fences that funnel Palestinians past X-rays, the shouting by Israel soldiers and police behind bullet-proof glass and the arbitrary seizing of passes and car keys." Palestinians often experience violence in these encounters.

Meanwhile, Sam provided computer training and services for various NGOs inside Israel including the Public Committee Against Torture in Israel and the Israel Committee Against House Demolition (ICAHD). In the latter, he worked closely with Jerusalem city councilor Meir Margalit in documenting Israel's expansion plans in what is considered occupied Palestinian territory in east Jerusalem under international law. (Together they published a review of the Israeli plans to contain

Palestinian expansion in East Jerusalem, called "Seizing the Space in East Jerusalem".)

For UJPO members the biggest highlight was the annual ten day education and solidarity tours that Sam and Ronnee led for years for visitors across Israel and Palestine in the early spring time. Over the years, thirty-five members participated in these tours.

My partner Cathy McPherson and I had the opportunity to register for their 2010 tour which included visiting a Palestinian refugee camp in the West Bank and meeting the charismatic former Executive Director of Rabbis for Human Rights, Arik Ascherman.

We ended up joining Sam and Ronnee and their comrades on a demonstration against settler incursions in the Arab community of Sheikh Jarrah within east Jerusalem.

Sam and Ronnee had already left their previous jobs when they decided to move to Israel on a part-time basis. Now, they face a second form of retirement requiring another major adjustment in their already rich lives. ♦

More in Hamilton

By Lyn Center

On August 27 Cathy McPherson and her husband Paul Weinberg spoke to our group about the recent book by Trevor Cole, *The Whisky King*. It's a well written account of Hamilton bootlegger Rocco Perri and his Jewish wife Bessie Starkman, a sharp businesswoman who got involved in both alcohol and drug dealing. She was shot and killed at age 41; Perri disappeared. Our discussion was very interesting and I think we all had a very enjoyable afternoon. Thanks, Cathy and Paul! ♦

FROM VANCOUVER

By Carl Rosenberg

The Peretz Centre for Secular Jewish Culture is the home of many programs and activities which will be of interest to UJPO members and readers of *UJPO News*. It's been rather quiet over the summer, so I don't have as many events to report on as usual. One of the last Friday morning Sholem Aleichem Speakers sessions before the summer featured well-known academic and activist Sheila Delany, Emerita Professor of English at Simon Fraser University, who gave a presentation on "Medieval Jews: What They Read, What They Wrote." The Fraytik Tsu Nakht, the Peretz Centre's monthly secular *shabbes* gathering, on May 26 featured Elizabeth Lewis Celeste speaking on "Inside the Stories of the Great Masterpieces: Jewish Performers, Librettists, and Composers and their Influence in Opera."

One of the most outstanding recent events at the Peretz Centre was the Vancouver Jewish Folk Choir's annual

spring concert on Sunday, June 4. The Choir and guest narrators reprised one of their most popular productions, “The Family Naiman,” first performed in 2013. Based on taped interviews with family members, and incorporating songs, narrations and photographs, the work tells the story of the family of long-time Peretz member and activist Victor Neuman, and their journey from Europe before and during the Holocaust until their eventual arrival in Canada after the war.

Victor gave a vivid overview of the story recounted in this work: “Members of the Neuman family were in Warsaw when it was bombed by the Luftwaffe, in the Polish cavalry when Poland fought the invading German army, in Paris during the roundup of Jews for deportation, in the Warsaw Ghetto just before the uprising, in the Ukraine when Panzers crossed the Russian frontier, in the Ural mountains when the German army surrendered at Stalingrad and even in Auschwitz at the time of its liberation.”

The work was presented this time in its complete version, with additional narrations and songs, and was even more powerful and moving than in its first performance.

On May 14, a solidarity demonstration was held in Vancouver in support of Palestinian prisoners who had been on a hunger strike – the battle of empty stomachs” – since April 16. (On May 27, Palestinian prisoners ended their 40-day hunger strike after an agreement was reached between the hunger strike leadership and the Israel Prison Service.) The goal of the event was also to shed light on the plight of the Palestinian people after nearly fifty years since the start of the 1967 occupation, and 69 years since the Nakba. (It was held the day before Nakba Day.) It was endorsed by the International Peacekeepers Alliance, the ILPS-Canada (International League of Peoples’ Struggle), the Samidoun Palestinian Prisoners Solidarity Network, the Canada Palestine Association, and Plan Peace. ♦

WHAT’S IN ORDER

Welcome New Members...

- Elyse Tera, Jonathan Brown Gilbert, Ann Pohl.

Mazi Tov to...

- Amina Jabber and Adam Chaleff-Freudenthaler on the birth of their son, Elan Naz Chaleff
- Lyn Center on the birth of her grandson Aaron Aebker
- Aviv Padawer- Blatt, grandson of Sam Blatt and Ronnee Jaeger and nephew of Shlomit Segal and Lev Jaeger, placed **third** in the Toronto District School Board grade 12 graduation class, with a **99.3 average**.

- Max Wallace for his new book *In the Name of Humanity*. It was reviewed in *Maclean’s* magazine: <http://www.macleans.ca/culture/the-unknown-story-of-how-300000-jews-were-saved-in-wwii>
- Ester Reiter for her book *A Future Without Hate or Need* which is short-listed for the Vine Award in history for Canadian Jewish Literature
- Ronit Little on overcoming her illness and returning to Camp Naivelt and UJPO after her absence due to illness.

Speedy Recovery to...

- Barbara Blaser and Victor Sokolov

Heartfelt Condolences to...

- Winnipeg member, Dora Rosenbaum, on the loss of her husband, Harry Rosenbaum
- The Mandarano family on the loss of Simcha Simchowitz
- Brenda Nietupski, Mitch Harrison and Astrid Harrison on the loss of Zachery Walker Harrison ♦

GETTING TO KNOW OUR UJPO MEMBERS

John Williams

By Joyce Wayne

There’s a famous saying from Leonard Cohen that goes, “There is a crack in everything. That’s how the light gets in.” Talking to UJPO member John Williams is like seeing a little shining light in these dark times when Trump is threatening war with North Korea and Venezuela. Williams doesn’t mince words nor does he embellish.

Instead he adheres to long-standing leftist principles of workers’ rights and the centrality of the union moment. His political cartoons, which regularly appear in this publication, speak for themselves, concentrating on seminal historical events such as the 1919 Winnipeg General Strike or the 1911 Triangle Shirtwaist factory fire.

Three years ago, John and his wife Debra O’Rourke joined UJPO, but they’ve been avid Naivelters, keeping a cabin there since 1999. Both John and Debra feel at home at Naivelt and in UJPO. “The political agenda agrees with us,” asserts John. “UJPO members show up at demonstrations; they hold the banner.”

John belongs to a cartoon syndication service for left-wing artists called Union Arts Service. For his submissions, he does the research and writes the text, creates pen and ink drawings in black and white or in colour and delivers them in traditional or digital format. Union Arts Service keeps a list of subscribers, mainly union magazines and websites,



Williams' cartoons capture seminal events in Canadian labour history.

who pay for the cartoons. In the case of UJPO news, the cartoons are free. Williams credits the syndication, originally founded by Mike Constable, with bringing him into the political world with such events as "Stop Spadina" and the Artistic Woodwork Strike.

In the past, Williams made his living as a paste up artist and by doing illustrations for small political magazines. Unfortunately that work has shrunk dramatically. Still he continues to draw and to paint. He mentions that he often paints at Camp Naivelt and has spent time this summer working on his artistic projects.

In the close to 20 years since Williams has been coming to Camp Naivelt, he's noticed a change in the politics. "I would like to see more emphasis on workers' issues and less on identity politics," he states. His main concern is that young people are squeezed between impossible employment conditions and paying for their rent. "We can't just feed that situation to the right," he argues. "Inequality has always been central to the Marxist tradition and UJPO grew out of the common front culture of the 1930's." Williams would prefer to see these political traditions take centre stage at UJPO.

These days we're all searching for the crack where the light gets in and Williams finds reading as good a place as any to find it. He reads widely. It's a source of inspiration for his cartoons and his painting. He cites the American novelist Jonathan Lethem, a red diaper baby, as a favourite, most recently reading his *Fortress of Solitude*. He's also just read Jane Meyers' *Dark Money: the Hidden History of the Billionaires Behind the Rise of the Radical Right* and *The Third Coast: When Chicago Built the American Dream* by Thomas L. Dyja. ♦

POETRY & SONG

Louis Riel

**Lyrics: Martin Heath;
Music: Susan MacKay**

Louis David Riel, 1844 to 1885, was a Canadian politician, a founder of the province of Manitoba, and a political leader of the Métis people of the Canadian prairies. He led two resistance movements against the Canadian government and its first post-Confederation prime minister, Sir John A. Macdonald. Riel sought to preserve Métis rights and culture as their homelands in the Northwest came progressively under the Canadian sphere of influence. Over the decades, he has been made a folk hero by the Francophones, the Catholic nationalists, the native rights movement, and the New Left student movement. Riel has received more scholarly attention than practically any other figure in Canadian history. [Wikipedia].



In our early western story
Riel fought to have men free,
Shared his heart with white and Metis,
In the cause of democracy.

His the voice of the Red River
His the spirit of our folk
When they banded all together
To defeat a tyrant's yoke.

They who hanged him from the scaffold,
They are now forgotten men,
But to those who fight for freedom,
Louis Riel lives again.

It was his fight built our prairies,
And his struggles made our plains,
In the start of Manitoba
There he fought for honest gains
He was the leader of the people,
And the father of our west;
He led the battles of the settlers,
When their voices were suppressed.

Let us do him now full honour,
For they hanged him for the crime,
That of standing up for justice,
As they do in our own time.
And the men who called him traitor,
Shouted down his honest name,
Today are not remembered,
But to Riel, a people's fame. ♦

YIDDISH

The Soviet murder of Jewish intellectuals

By David Abramowitz

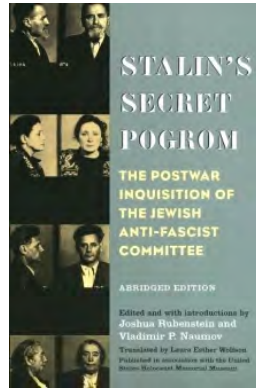
The infamous crime that occurred on August 12, 1952 was secret for years. It actually was preceded in 1948. The Jewish world was stunned to learn that on January 13, 1948, Solomon Mikhoels, internationally renowned Yiddish actor and director of the Moscow Yiddish State Theatre was killed in an alleged “automobile accident.” In reality it was a planned execution.

It wasn't till the mid '50's when the western Jewish world observed that mention of major world famous Soviet Jewish intellectuals had not been mentioned in Soviet publications for some time. Many speculated as to their fate. There was an unsubstantiated belief that twenty-four writers and poets (it was thought), all men (as alleged) were shot in the basement of Moscow's notorious Lubyanka prison.

After the facts of some of Stalin's heinous crimes were revealed in Soviet premier Nikita Khrushchev's address to the USSR's 20th Communist Party Congress (1955), UJPO National President Morris Biderman and Ontario MPP Joseph Salzberg went to the USSR (1956) to investigate the circumstances. Their negative reports on return initiated four years of furor, and for many disillusionment with the UJPO resulting with numerous resignations and Biderman founding the NFJA (New Jewish Fraternal Association) in 1960.

The genuine facts were eventually ascertained in the early 1990's when data from opened KGB archives about the trials was accessible and some were published in Moscow in 1994. “Stalin's Secret Pogrom,” by Joshua Rubinstein and Vladimir P. Naumov, published April 10, 2001, was the resulting book revealing that actually fifteen, not twenty-four Jews were tortured and tried secretly, one being a woman. All were members of the Jewish Anti-Fascist Committee (JAC). Five were former prominent internationally renowned Jewish cultural icons – Peretz Markish, Dovid Hofstein, Itzik Feffer, Leib Kvitko, and Dovid Bergelson; the remaining eight were less known in the West but held prominent positions within their professional spheres. Their confessions (basically as enemies/traitors of various types) resulted in their death sentences which were carried out on August 12, 1952.

Under Khrushchev's administration the trial files were opened. They disclosed forced (or forged)



confessions/signatures. After this investigation the trials were declared fraudulent and the stature of the personalities rehabilitated and their spouses received widow's pensions.

In the 1980's I became president of Toronto's Yiddish Kultur Gezelshaft (Yiddish Culture Society) which had historically memorialized this infamous event each August calling it “Night of the Silenced Poets” (more commonly observed in North America as “Night of the Murdered Poets”.) After the 2001 publication of the facts in Stalin's Secret Pogrom our commemoration listed the actual victims and rather than solely a repetitive condemnation of those who committed this heinous crime, I initiated readings from the works of these personalities as a celebration of their creativity and significant contribution to contemporary Yiddish culture.

In the 1980's, our late activist, Muni Taub, commenced a similar event at Camp Naivelt the week following its Peace Tea conducted with members our Toronto Ensemble Theatre. As generations passed on this event ceased as did the programs of the now defunct Yiddish Culture Society. We must commemorate the loss of these Yiddish literary giants and bring their creativity to contemporary and future generations. ♦

BEN SHEK SOCIAL JUSTICE AWARD

UJPO-Canada annually presents an award in memory of the late, beloved Ben Shek (a progressive activist and life-long member) to a current member who fulfills the following criteria:

- Is a UJPO member
- Upholds the values of our organization
- Is active in promoting social justice in Canada
- Has made an extensive contribution to our organization

All UJPO members across the country are invited to send the name(s) of members believed to merit this award specifying the reasons why they merit it. The National Board officers will choose the successful candidate from those nominated and the award will be presented at a UJPO-Canada event to be held this fall. The deadline for receipt of nominees is October 31. Please send nominations to the UJPO National Board at ujpo@ujpo.ca or 585 Cranbrooke Ave., Toronto, ON M6A 2X9.

CANADA

Time to revitalize the anti-war movement

By the Canadian Union of Postal Workers

Justin Trudeau certainly did not run on a military-strength platform. Nowhere on the campaign trail did Liberals talk about increasing military spending or using “hard power”

abroad. The recent speech by Minister of Foreign Affairs, Chrystia Freeland, alongside the announced 70% increase in military spending should ring alarm bells. Stephen Harper wouldn't have dared such an announcement. Canadians wouldn't have accepted it. Not with our hospitals, schools and infrastructure in such sorry shape. Not with indigenous communities left abandoned by our entire economic system. Not without real action on climate change. Harper couldn't have gotten away with shovelling an extra \$14-billion a year into military spending. Why should we let Trudeau?

The recent revelation that the Liberals planned their "international pivot" before they even took office serves as a stark example of what this government represents. They knew they would make this turn, but kept it secret from the public. The reason for this is obvious. Nobody would have believed the Liberal "sunny ways" if they knew the truth: that the Liberals planned to massively increase military spending and project military power around the globe. How can anyone that believes in democracy justify keeping such a major shift in policy secret? The Liberals should not be trusted.

Iron Fist of the Ruling Class

A government that prioritizes military spending is a government that intends to use it. Nobody elected Liberals to run military adventures. But the writing is on the wall. It is a matter of time before the Liberal government begins sending Canadian troops abroad to fight in wars that have nothing to do with defending this country from invasion. Freeland admitted as much in her speech.

Beneath the velvet glove of the Liberal government lies the iron fist of the Canadian ruling class... the same people that Harper worked for, the same interests that try to push down wages and working conditions, the same corporate elite that destroys our environment, violates treaties with indigenous nations and ruthlessly exploits working people around the globe. Meet the new boss, same as the old boss.

The proposed \$14-billion a year increase in military spending is money directly taken from urgently needed social spending. This money could provide free university education to every student. This money could provide clean drinking water to every reserve. This money could take every homeless person off the street. But the priorities of the government are clear.

Those who stand for peace and justice must seriously think of revitalizing the anti-war movement. It is clear that it will be needed. •

Canadian Union of Postal Workers (CUPW) is a public sector trade union representing postal workers employed at Canada Post as well as private sector workers outside

Canada Post. This article was first published on its website. <https://socialistproject.ca/bullet/1434.php#continue>

Six glaring issues with the Supreme Court Line 9 decision

By David Gray-Donald

On 26 July, the Supreme Court of Canada announced its decision regarding Enbridge's Line 9 pipeline. The Chippewas of the Thames First Nation, located near London, Ontario, had argued that due process had not been followed in the government approving significant changes to the existing pipeline. The Supreme Court ruled against the Chippewas of the Thames, and in favour of the National Energy Board and, in effect, Enbridge.

From a close reading of the Supreme Court decision, many glaring issues become apparent. Six of them are summarized here.

1. Aboriginal and treaty rights are mentioned by the Supreme Court, but no specific treaties are named or discussed.

Central to this case is Section 35 of the Canadian Constitution Act of 1982 (the Charter). It's first point reads: "35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed."

In the Line 9 case, the Supreme Court mentions "Aboriginal and treaty rights" twenty times, but never once explores which treaties are relevant, what they say, and what they mean for this case. If the Court took seriously what Section 35 represents, instead of just taking the simplified text of Section 35, and really explored it, this would require an exploration of Indigenous understanding of the treaties, and thereby of "Aboriginal and treaty rights." However, the Supreme Court continues to rely on precedent from other Section 35 cases, which are based on completely different treaties (or lack of treaty).

2. The Court admits the original installation of Line 9 was done in contravention of Canadian law, but says that fact is not relevant to this case.

The court decision notes that the original Line 9 pipeline installed in 1976 "was approved and built without any consultation of the Chippewas of the Thames." (Not to mention no consent.) This is an admission by the court that the whole pipeline has been in contravention of Canadian law since it was installed (at minimum, consultation is required).

So the pipeline that is illegitimate from the start is, in this case, immune to the fact of the original transgression. Which begs the question: what is the vehicle for addressing historical grievances?

3. The Court admits no one told the Chippewas that the NEB was acting as the Crown until after the pipeline consultation process, but says the Chippewas should have pieced it together on their own.

The crux of the case, in the Supreme Court's eye, is whether the National Energy Board (NEB), a regulatory agency, can fulfill the role of the Crown (the Canadian Government) in decisions that affect Indigenous peoples.

Though the Chippewas were never told outright, the Supreme Court says, "In our view, the circumstances of this case made it sufficiently clear to the Chippewas of the Thames that the NEB process was intended to constitute Crown consultation and accommodation. Notwithstanding the Crown's failure to provide timely notice, its consultation obligation was met."

How had the circumstances "made it sufficiently clear," you ask? It was because the NEB had said it was the final decision maker on the Line 9 approval. In the Court's eyes, the Chippewas were supposed to know this meant the NEB represented the Crown, even though the Chippewas continuously said they did not believe this was true during the process and asked the government for clarification and didn't get it until the process was over.

The take-away here is that the Crown can fail to tell First Nations what's happening for an entire consultation process, expect them to somehow understand, and get away with it.

4. The confusing and highly subjective internal processes of the NEB, which disbanded amid corruption scandals, are not criticized by the Court but are instead used to defend the NEB and the government.

Major energy projects, like new pipelines, cannot be approved only by the NEB, and must go to the federal government (Minister of Natural Resources) for final approval. But because of a loophole called s58 of the NEB Act, the reversal, expansion, and change to a more corrosive product in Line 9 did not need to go to the federal ministry. If the NEB deems a change to be small enough, it can decide to be the final decision-maker, and the elected government of Canada doesn't need to get involved. It was in this way that the NEB became the Crown.

Somehow, under the eye of the Steven Harper Conservatives, a major change to one of the largest pipelines in Canada squeaked through the s58 loophole. The scandal-plagued NEB, instead of being criticized for having an opaque and counter-intuitive process, is commended by the Supreme Court for having adhered to this process. The Chippewas of the Thames, on the other hand, are told off for not having understood the implications of the NEB's strange regulations.

5. The word "consent" is not once mentioned in the decision, though Canada now fully endorses the United Nations concept of "free, prior and informed consent" (FPIC) with Indigenous peoples. This is a Liberal government failure.

Though the word "consent" does not appear, the word "veto" does (paragraph 59).

The two judges authoring the decision decided to highlight paragraph 48 of the 2004 Haida case (over logging on the west coast). But they only focus on half of paragraph 48 when they say "the duty to consult does not provide Indigenous groups with a 'veto' over final Crown decisions." The second half of paragraph 48 of Haida, which is not referenced in the Line 9 decision, reads: "The Aboriginal 'consent' spoken of in Delgamuukw is appropriate only in cases of established rights, and then by no means in every case."

Without a thorough consideration by the Supreme Court of the content of the treaties and the "established rights," how did they come to know there was no discussion needed about consent? How did they become so sure of this that they did not need to mention the word "consent" at all?

On this major oversight, Justin Trudeau's Liberal government deserves much of the blame. Elected almost two years ago on promises of implementing the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), including the principle of "free, prior and informed consent" (FPIC), it is clear Trudeau has not delivered.

If free, prior and informed consent was taken seriously by Trudeau, it would be law by now, and the Supreme Court would have to have considered it. The Supreme Court would have to have at least mentioned the word "consent." Or Trudeau would have admitted the Chippewas had not given consent, and would not have fought against the First Nation in court. But policy has not changed, and under Trudeau's watch, a backward Supreme Court precedent has been set.

6. The Court uses the fact that the Chippewas attended NEB consultation events as seeming evidence that the Chippewas were "meaningfully" consulted and knew it. The Court does not mention the Chippewas protested at these events and called the process illegitimate.

While the Court was not concerned with matters of consent, it did focus on "meaningful consultation." Were the Chippewas of the Thames meaningfully consulted, they asked. Leaving aside the obvious limitations of this question for a second, let's see how the court answered it.

MIDDLE EAST

Punched, dismantled, unbowed: how Diaspora Jews are unsettling the occupation

By Ilana Sumka, May 29, 2017

In our West Bank protest camp, being a Jewish nonviolence activist is no immunity against manhandling by the Israeli soldiers. I grew up in America believing we were our superheroes who'd protect me from harm

I grew up as a young Jewish girl in 1970s America, certain that the Israeli army was nothing less than a band of superheroes who would protect me from any harm that might come my way. Last week, the Israeli army was the harm that came my way.

While the rest of the world was preparing for the new American president's first visit to Israel, in a small village called Sarura deep in the West Bank, 130 American, Canadian, European and Australian Jews were standing shoulder-to-shoulder with Palestinians, taking blows from Israeli soldiers.

If you've never heard of Sarura, it's probably because the Israeli government has been trying for decades to wipe it off the map. In the 1970s, the Israeli government declared 30,000 *dunams* of the South Hebron Hills region of the West Bank, including Sarura, a military firing zone. By 1999 they had evicted some 700 Palestinian villagers living in the area, sealing their water cisterns shut and barring them from their caves.

In 2001 a handful of extremist settlers moved to a hilltop across from the spot Sarura used to stand and established an illegal outpost they named Havat Ma'on. The Israeli authorities responded to this unauthorized construction by connecting the settlers to water and electrical infrastructure.

Last week, a coalition of Palestinians, Israelis and Diaspora Jews came together to reclaim Sarura. We called the project "Sumud: Freedom Camp".

Like many Jews around the world, it took time for me to realize I couldn't reconcile this reality of Israel's occupation with the Israel I thought I knew. For me, it took living in Israel for seven years, studying and eventually traveling in the West Bank every day to witness first-hand the rise of settlements and the on-going displacement of Palestinians to reach a conclusion that terrified me, and that I had not been able previously to accept.

Israeli policy in the West Bank is based on racial and ethnic discrimination in which Jewish rights and Jewish

The Court says that in the NEB process, "the Chippewas of the Thames participated as an intervener. The NEB provided the Chippewas of the Thames with participant funding which allowed them to prepare and tender evidence including an expertly prepared 'preliminary' traditional land use study (C.A. reasons, at para. 14). Additionally, as an intervener, the Chippewas of the Thames were able to pose formal information requests to Enbridge, to which they received written responses, and to make closing oral submissions to the NEB."

The main message here is that because the Chippewas engaged in the NEB process and got written responses to some questions, they were meaningfully consulted.

Nowhere does the Court mention that the Chippewas protested at NEB proceedings and questioned the validity of the whole thing. Nowhere does it mention that offering funding to cash-strapped First Nations for anything is a go-to move to get them involved, and that this shouldn't be seen as a sign of endorsing a process.

The Chippewas were offered only one process, clearly did not think it was legitimate, asked for clarification (point 3 of this article), heard nothing back during the process, protested that process, and are now told that because they showed up and took money and got written responses to other questions, they were meaningfully consulted.

As part of their conclusion, the Court states, "we find that the NEB provided the Chippewas of the Thames with an adequate opportunity to participate in the decision-making process."

One final note with fun (or not so fun) facts...

Though it was a unanimous decision of the nine justices, of the Supreme Court justices who authored the decision, both were appointed by Steven Harper, one of them is a self-described "conservative libertarian," and Enbridge's law firm in this case is the one Steven Harper now works for, Dentons. Go figure. And because the Chippewas lost, they were ordered to pay Enbridge's legal fees, which means the First Nation is picking up the Dentons tab. •

David Gray-Donald writes for the Media Coop, where this article first appeared.

<http://mediacoop.ca/story/6-glaring-issues-supreme-courts-line-9-decision/36578>

access to land are privileged over and at the expense of Palestinian rights and Palestinian access to land. There is no moral case to be made that justifies the separate legal systems, the unequal access to basic resources, the impunity that settlers enjoy or the constant harassment, violence, and displacement that Palestinians face. There is certainly no Jewish case to be made for this.

Two years ago I founded the Center for Jewish Nonviolence to bring Jews from around the world to join the Palestinian grassroots nonviolent movement on the ground, alongside our Israeli counterparts. This year marked our fourth delegation, and our numbers have grown exponentially. We are part of a sea-change in the global Jewish community that says unequivocally: occupation is not our Judaism.

Last week we rolled up our sleeves and got to work in tiny Sarura, erecting tents, rebuilding roads and refurbishing cave homes. We were praying with our feet.

Two days later, at midnight, the Israeli military came to destroy Sumud: Freedom Camp. In the dark, the soldiers pushed, punched, and manhandled our activists – Jewish and Palestinian alike. We looked across the hill at the lights of Ma'on, as soldiers confiscated our tiny generator, together with our tents and mattresses.

We expected as much. But we also knew that our presence would change the standard operating procedure for Israeli security forces in the West Bank. The Israeli military normally wastes no time arresting nonviolent activists, as was the case in a similarly peaceful encampment of Bab Al Shams in 2013 when some 100 activists were arrested. This time, not a single one of us was arrested.

The presence of hundreds of Jewish Americans, Europeans and Australians changed the equation. We linked arms, stood shoulder to shoulder – Palestinians, Israelis and Diaspora Jews – and took out our cameras. Rabbis, Jewish academics, Jewish day school graduates, Jewish summer camp counselors were all there, filming and livestreaming to our friends, family and communities back home, and the Israeli army knew it. When these confrontations happen to Palestinians alone, the Israeli army can count on no one watching. We were there to make sure the world was watching.

I have long suspected that significant numbers of Jews joining the Palestinian grassroots nonviolent movement could be a game-changer in ways similar to Mississippi's 1964 Freedom Summer. We came to lend our bodies and our privilege to a movement led by Palestinians, just as American whites joined the Black-led civil rights movement.

We thought we would see a pyrrhic victory: The army would dismantle the camp and arrest us, and we would shine a light on the Palestinian nonviolent movement and the injustices of occupation. Instead, we are now witnessing a different win: the victory of a small community that has been able to return to its homes, to bake bread in its stone ovens for the first time in twenty years, and to hopefully raise their children in peace.

It has been over one week, and the Israeli army has come once more to destroy our tents, but Sumud: Freedom Camp is still standing.

It will take more than busloads of American Jews standing in solidarity in the West Bank to end the occupation. But tonight, my Palestinian, Israeli and Jewish American friends are sitting around a campfire drinking hot tea, showing the world an alternative to the status quo. When we turn our privilege into power for our oppressed sisters and brothers, and when we value justice and shared humanity over displacement and discrimination, we win. ♦

Ilana Sumka is the director of the Center for Jewish Nonviolence.

The Coordinator of Government Activities for the Territories (COGAT) responded by “stressing that the outpost was set up in a fire zone, to which access is forbidden.” Over the past week illegal structures were seized near Havat Maon, which were set up without the required permits.

Read more: http://www.haaretz.com/opinion/.premium-1.792576?=&utm_content=%252Fopinion

INTERNATIONAL

Venezuela's Constituent Assembly (ANC)

Ed. Note: The letter below is in response to an article in the Guardian, of August 19 2017, titled “President Maduro Strips the Venezuelan Parliament of Power”, written by Emma Graham-Harrison and Virginia Lopez.

(<https://www.theguardian.com/world/2017/aug/19/venezuela-crisis-deepens-maduro-strips-opposition-held-parliament-power>).

The authors contend that in creating the Constituent Assembly (though via a vote of Venezuela's citizenry), Nicolas Maduro has stripped Parliament of its power, calling it “..a form of coup”. The opposition, led by Henrique Capriles, calls on the international community to “..the defense of the sovereignty of the Venezuelan people..”, and indeed, the United States called the move “a power grab” (and as we are aware of Trump's latest “order”, is applying sanctions on Venezuela). The Guardian article refers at length to the former Attorney General, Luisa Ortega Díaz, who fled to Colombia,

claiming her life was in danger and accusing Maduro of corruption.

Dear Mr. Pritchard (*Observer* readers' editor):

First of all, the article's headline is false as even the article itself reveals. Venezuela's constituent assembly (ANC), not President Maduro, took over various National Assembly functions.

Nowhere does the article inform readers that the ANC was elected by Venezuelan voters. The opposition refused to field candidates for the ANC election, urged its supporters to boycott the vote, and resorted to violence, in particular in opposition strongholds, to prevent people from voting.

Nowhere does the article inform readers that the Venezuelan constitution, which was ratified by voters in a referendum in 1999, allows for the election of an ANC.

Articles 347, 348, 349 of the Venezuelan constitution are shown below this note. It is clear that the ANC has broad powers under the constitution above other elected bodies, including the president.

The dispute over the constitutionality of the ANC elections that President Maduro ordered hinges over whether or not voters had to approve the ANC election beforehand in a referendum as they did in 1999.

It is obvious from art. 347 that the ANC would have to be directly elected by Venezuelan voters – as it was.

It is obvious from art. 348 that the president has the authority to initiate the process of convening an ANC. It is not clear that an initiating referendum is required or even a referendum on changes it makes to the constitution.

In 1999, Venezuela was in the process of replacing a constitution that made no provision at all for an ANC. Maduro has, despite vagueness of the 1999 constitution on the matter, committed to holding a referendum on any changes the ANC proposes to the constitution.

The only thing your article tells readers is that the opposition and its staunch supporters in the US government and other right wing governments in the region, have declared the ANC illegitimate. The notion that foreign governments have any right at all to impose an interpretation of the constitution on Venezuela is outrageous. Many readers would see that if you provided more information.

I realize a single article can't get into every bit of nuance, but this article was totally one-sided and misleading.

Joe Emersberger

Relevant articles of the Venezuelan Constitution:

Article 347: The original constituent power rests with the people of Venezuela. This power may be exercised by calling a National Constituent Assembly for the purpose of transforming the State, creating a new juridical order and drawing up a new Constitution.

Article 348: The initiative for calling a National Constituent Assembly may emanate from the President of the Republic sitting with the Cabinet of Ministers; from the National Assembly, by a two-thirds vote of its members; from the Municipal Councils in open session, by a two-thirds vote of their members; and from 15% of the voters registered with the Civil and Electoral Registry.

Article 349: The President of the Republic shall not have the power to object to the new Constitution.

The existing constituted authorities shall not be permitted to obstruct the Constituent Assembly in any way. ♦

<https://zcomm.org/zblogs/the-uk-observers-latest-news-article-about-venezuela/>

For additional on-line Venezuela articles please check these links:

<http://www.telesurtv.net/english/opinion/Time-for-the-International-Left-to-Take-a-Stand-on-Venezuela-20170715-0031.html>

<https://zcomm.org/zblogs/the-uk-observers-latest-news-article-about-venezuela/>

<https://videenglish.telesurtv.net/video/671536/thousands-support-venezuelas-new-constituent-assembly/>

<http://socialistproject.ca/bullet/1458.php>

<http://www.telesurtv.net/english/news/President-Maduro-Celebrates-1.6-Millionth-Home-Built-for-the-Poor---20170430-0018.html>

<https://videenglish.telesurtv.net/video/655505/chavistas-take-to-the-streets-to-stop-coup/>

(Continued from page 1) those who served in the Red Army, but also an estimated million Jews had been evacuated, either by escaping on their own or with the help of the Soviets, travelling east within the Soviet Union to Kazakhstan, Turkmenistan, Kyrgyzstan, Tadjikistan, with Tashkent*** one of the better known places of safety. However, the situation of many of the evacuees was hazardous; within my own family, a cousin's mother starved to death even though the family had been evacuated. I remain haunted by the question why some were evacuated and not others.

After the war survivors returned to their home communities and started over again, others went to larger towns or other communities. As it became possible to leave Ukraine in the 1970s and after the fall of the Soviet Union in 1991, many other Ukrainian Jews migrated to Israel and to North America, so these towns are even further decimated of Jewish life.

The old cemeteries in most of the places I went to had been desecrated, the monuments broken up and used for other purposes, another mad effort to destroy any evidence of Jewish life, and yet I was excited to see that there were many new headstones for people buried post-war.

In Zvenigorodka where my paternal grandfather's family was from I learned that a number of people with my grandfather's family name, Granovsky, had been among those massacred but I also learned that two Granovsky women returned living to their mid-80s. I saw the home they had lived in, still empty, their graves and even their photos on their monuments.

In that same town we visited the synagogue that also serves as a community centre and saw signs of Jewish renewal and of course were told about the differences that exist among the 80 or so Jews still living in the town. The synagogue which my grandfather's family may once have frequented was returned to the community as were all houses of worship with Ukrainian independence.

Travelling as we did through and stopping at so many small communities, staying in hotels, eating in local restaurants, walking about, we were able to observe the life of the people. Although some of the towns remain quiet and apparently peaceful places where people continue to live simple lives, the larger towns and cities were bustling places. I was happy to find an internet café on the main street of Zvenigorodka.

Odessa, a city which once knew a rich Jewish cultural life has retained much of its charm and splendor. I couldn't help but think that if my family had not been smart enough to leave Ukraine in the early 20th century, I would have happily found my way there, but I wouldn't be here to tell you about my trip.

I returned home strangely energized by my trip and continue to be fascinated by the Jewish world of Ukraine as well as the story of my own family. I am grateful to JewishGen and its many volunteers for diligently working away in Ukrainian archives helping to resurrect the lives of our ancestors. ♦

**The website of the International Jewish Genealogy Society offers a wealth of information – www.jewishgen.org.*

***See the website of yahadinunum.org and the work of the priest, Patrick Desbois.*

****See Tashkent, Uzbekistan Jewish Refugees' registration cards at US Holocaust Memorial Museum*

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