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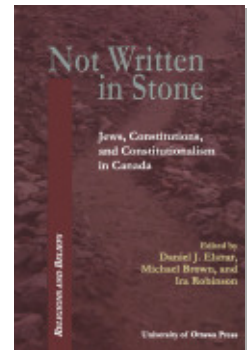
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# Issues and Contexts: An Introduction

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## The Issues

The immediate concern of this book is the political history of the Canadian Jewish community in its two contexts, Jewish and Canadian. As its starting point, however, the book takes one of the major historical problems in the study of modern Jewish political organizations: Are pre-modern Judaic political traditions evident in any way in contemporary Jewish organizational life? And, if there is some continuity, how significant is it, and how is it expressed? These are, of course, questions not only about transmission and links in the chain of tradition, but also about the interface of sacred and secular. At issue is the nature of the tie between the ancient and medieval Jewish worlds and the modern. Pre-moderns considered every aspect of human existence to be interconnected with religion; moderns tend to divorce religion and daily life and to construct even religious institutions along secular lines, as the discussion of synagogues herein illustrates.

The lens through which these issues are viewed here is that of the constitutional documents of Canadian Jewish institutions. There are several reasons for such an approach. One is that the Jewish experience has always been text-oriented. Since ancient times, Jews have tended to enshrine their most cherished beliefs and values in texts, and they have continued that practice in the modern period. Constitutions are written texts, the purpose of which is the conscious, public declaration of goals and ideals on the part of institutional leaders. In general, such documents record those precepts and standards about which the group will not entertain compromise, or at least would not at the time of formulation. As such, they can provide a uniquely reliable picture of

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the fundamental values and norms of groups and institutions, often revealing significant information about those who frame and live by them. Polls and surveys tell us what is done. Constitutions tell us what people believe should be done.

As windows onto groups and societies, constitutional documents also have a serious shortcoming, one which is also their principal virtue. That is, they state ideals and perhaps behaviour at a given moment in time, while tending to be silent about minority opinions or subsequent divergence. Although these documents are rewritten or updated infrequently, institutional change usually occurs gradually, allowing breaches of constitutional provisions to be rationalized. Sometimes 'outdated' constitutions are simply ignored; commonly, revisions are made to inhibit changes that threaten to occur or to sanction innovations that have already been instituted. Only rarely do members of a group mount a court challenge on the grounds that the constitution has been violated.

The present discussion takes as a given the political dimension of the Jewish experience, both past and present. In the Diaspora, especially in modern times, that dimension of Jewish life has often been submerged and at times consciously denied. Ismar Schorsch and others have noted, however, that "political history is not a function of land, but of legal status and group cohesiveness,"<sup>1</sup> two issues which are central to understanding contemporary Jews.

The primary concrete expressions of legal status and group cohesiveness are political emancipation and Jewish identity. And they have established the agenda for the present research. The evolving nature of Jewish identity in the modern era and the ways in which modifications are delineated in the constitutional documents of Canadian organizations form the major thrust of most of the essays. The legal status of Jews lies at the heart of those essays which discuss context. Taken together, the essays can serve as a guide to the nature of that polity known as the Canadian Jewish community.

#### **The Canadian Context**

The political history of the Canadian Jewish community is in large part a product of the political and constitutional makeup of Canada. The framework was established first in a series of basic laws, then in the 1867 *British North America Act* (sometimes known as the *Constitution*

*Act*), a *de facto* constitution, and most recently in the new Canadian Constitution promulgated in 1982.<sup>2</sup> From the British conquest in 1759 until well after the Second World War, Canadians understood their country to be a national-cultural-religious duality. It was a nation of two peoples: French Canadians, who were French-speaking, of French origin, and Roman Catholic, and English Canadians, who were English-speaking, mostly of British Isles origin, and Protestant (with the exception of Irish Catholics). Since the 1960s, English Canadians, and to a lesser extent French Canadians, have come to view their country as made up of numerous ethnic, religious, and cultural groups – a multicultural mosaic in which no one group or culture is to be privileged. Since 1971, multiculturalism has been the official policy of the federal government. There is no little irony in the fact that the two-peoples concept of Canada accorded no sanctioned room for Jews or other non-British, non-French, non-Christian groups, while the multicultural mosaic notion depends upon the presence of those formerly considered outsiders.

The recent shift in national self-understanding occurred mostly because of the large-scale immigration of people from countries other than France and Great Britain in the postwar period. This phenomenon itself reflected a willingness to broaden the traditional understanding of “Who is a Canadian?” The new concept, which eventually became government policy, stemmed from two objectives: to blunt the potential impact of the French Canadian nationalist drive for separation from the rest of Canada and to make concessions to that nationalist sentiment palatable to English Canadians. Recognizing the cultural and linguistic distinctness of all the country’s diverse groups was thought to be a way of not recognizing the specialness of one, as French Canadians were demanding. With its promise of legitimacy and equality for all ethnic groups, the new interpretation was welcomed heartily by Jews and other long-time outsiders. They hastened to take advantage of its proffered ‘perks,’ such as ‘heritage language’ programmes in schools, chairs of ethnic studies in universities, and funding for community programming.<sup>3</sup> Not surprisingly, many French Canadians, as well as English Canadians jealous of their pride of place, were less enthusiastic. The shift in concept goes a long way towards explaining contemporary political tensions within Canada.

The recent shift is but one of many attempts in Canadian political and constitutional history to effect a compromise between rival groups and conflicting interests. *The British North America Act, 1867* itself rep-

resented a compromise between the maximalist exclusivists of both French and English Canada. It lent constitutional authority to the notion of a country composed of two founding peoples, each of which was to enjoy certain constitutional protections with respect to language, education, and religion, neither of which would exercise hegemony over the other.

The presence of Jews in a country in which Christianity, however defined, was not merely normative but constitutionally protected, forced the Canadian polity, as a whole, to adjust considerably. Canadians had to decide whether and how to accommodate non-Christians in terms of public policy.<sup>4</sup> For a time in twentieth-century Quebec, the structure was maintained by defining Jews legally as Protestants in order to ensure their right to public schooling. In other provinces, they were accommodated – often grudgingly – by ignoring the fact that, constitutionally, they did not belong.

The two-peoples concept also presented a challenge to be reckoned with by Jews, who were part of a small non-British, non-French minority and, for a long time, the only non-Christian group of any size in Canada other than native peoples. With which national group should they affiliate? To what degree would they be welcomed? And how were they to protect their communal and religious interests in schools, health-care systems, and elsewhere in the public square, when, by fundamental law as well as social convention, these were overtly Christian in character?

This challenge enabled – even required – Jews to establish autonomous organizational structures, parallel to those of the French and English but lying outside the constitutional framework. Jews founded synagogues, newspapers, charitable and social-action institutions, clubs of all sorts, and eventually schools. They also created a national structure of their own. At first, the Federation of Zionist Societies in Canada (later called the Zionist Organization of Canada) served as a Canada-wide, representative Jewish organization and as a locus for the national sentiments of Jews who could be neither French nor fully English.<sup>5</sup>

During the 1930s and 1940s, the Canadian Jewish Congress shared that role; in mid-century, it supplanted the Zionist Organization as Canadian Jewry's representative body. In the 1980s, the Congress began to lose its dominance, partly because of challenges from Zionists, B'nai Brith, community Federations, and other groups. At the opening of the twenty-first century, the leadership situation is still

fluid. (As the country became more inclusive and the two-peoples concept eroded, it became more appropriate and less self-effacing for Jews to embrace Canadian nationalism. But they remained much more attached to Zionism than did American Jews, a disparity which would seem to indicate that the Americans continued to feel more 'at home' and less separate in their New World domicile than did their cousins north of the border.) These structures, the local and the national, the unique and those that resemble the institutions of other countries or of other groups in Canada, have defined the Canadian Jewish community historically. Their constitutions are the texts of this book.

A second significant ramification of the original French-English constitutional accommodation emerges as well. For Jews, a positive side to Canada's duality was the existence of more than one model of "Who is a Canadian?" As a result, those who came to Canada were not subject to the same all-but-irresistible, melting-pot pressures for acculturation to one single pattern as in other countries of immigration, most notably the United States. The differences between Canada and the United States should not, however, be overplayed. In English Canada, there was a strong expectation that newcomers would acculturate, although the recompense offered (grudging or partial acceptance) proved less enticing than the award of full acceptance that the United States appeared at least to promise. More so than in many other places in the Diaspora, then, circumstances in Canada encouraged Jews to retain their traditional identity, to create their own institutional structures, and thus to assert their communal presence.

But there was also a negative side to Canadian duality: the recurring friction between the two major national groups. During periods of heightened tension, the ability of either group to tolerate deviance becomes diminished. As history has shown, Jews can become objects of obloquy for both. At such times, Jews have felt and exhibited considerable insecurity, with many coming to see themselves as second-class citizens.<sup>6</sup> For example, despite its relative cohesiveness and strong identity during the Hitler period, the Jewish community could not persuade the Canadian government to admit appreciable numbers of Jewish refugees. In this regard, Canada had the worst record of any country in the Western world.<sup>7</sup> In the same years, the community was equally ineffectual in fighting against local antisemitism fueled by longstanding Canadian attitudes and the influence of European fascism.

As already noted, the rise of multiculturalism in the latter part of the twentieth century, not to mention the concomitant decline in anti-

semitism, introduced a new way of construing the ideal Canadian polity. It also marked a new phase in the definition of "Who is a Canadian?" This change affected the Jewish community in a number of ways. The multicultural ethos lent new validity to Jews' endeavour to preserve their communal distinctiveness within Canadian society. At the same time, Jewish concerns entered into the debates regarding the shape of Canada's new constitution. It remains to be seen whether this new conception of Canadian identity will prove workable in the long run, given the current political and cultural atmosphere in which the ideal of multiculturalism has found itself under continued attack.

A less direct, but no less noteworthy, influence of the Canadian context upon the Jewish community was the intense interest in constitutions and constitution-making that since the late 1970s has gripped all Canadians. Multiculturalism made desirable – essential, in fact – a new constitution to replace the *British North America Act, 1867*. Debates over the content of the new document, particularly over the relationship of French Canada to the rest of the country and over the method of promulgation, raged for quite some time before its adoption. In the end, the constitution adopted in 1982, like the *Act* it replaced, was a compromise. Hence, debate about it has only intensified over the years. In addition, its *Charter of Rights and Freedoms, 1982* gives precedence to the individual to a degree unknown earlier in Canada and in ways that Canadians associate with the much more free-wheeling and individualistic United States. *Charter* cases now appear before the courts with considerable frequency, also serving to keep alive interest in the constitution. All of this ferment has focused most politically conscious Canadians on the issue of constitutionalism. A spin-off in the Jewish community has been the creation of new constitutions by a very large number of community groups and institutions in the last twenty-five years.

Throughout its history, then, Canadian society (and its fundamental laws) have promoted self-conscious Jewish identity and autonomous organization by providing 'space' for Jews to act. At first, that space was negative: interstices between the two founding peoples who made up the Canadian polity constitutionally. More recently, the space has been positive: tiles in the multicultural mosaic.

Even the positive space, however, does not guarantee the future of a vibrant, self-reliant Jewish community. Multiculturalism has 'arrived' in Canada at the same time that the exclusionary particularism practiced in the past by both French and English Canadians has lost some of its appeal in French Canada and all but dissipated in English Canada.

Just when Jewish separatism has gained social and constitutional legitimacy, the roadblocks in Jews' path to full integration into Canadian society (outside Quebec, at least) have been removed. At this moment, the choice between maintaining the distinctiveness of the Jewish group and its particular institutions or assimilating into the emerging inclusionary mainstream seems to be largely that of Jews to make. The future, as always, is shrouded in fog.

### **The Jewish Context**

Jews have lived in the territory which is now Canada for some two and a half centuries and have enjoyed an institutional presence for nearly as long.<sup>8</sup> Only at the very end of the nineteenth century, however, did the Jewish community become numerically and culturally significant. Earlier, as shown in Jay Eidelman's essay which appears elsewhere in this volume, the 'remnant of Israel' in Canada lived in the religious and institutional shadow of their longer established and more numerous brethren in England, the mother country, and in the nearby United States. Individual Jews were relatively prosperous, well acculturated, and well accepted in English Canada during the first century of Jewish life there.

The situation changed drastically with the arrival in Canada of larger numbers of immigrants in the years after 1900, years marked by mounting antisemitism and other varieties of nationalist xenophobia in many countries. Overwhelmingly eastern European in origin and part of a major wave of emigration from the Jewish heartland of Europe – Russia, Austria-Hungary, and Rumania – these Jewish immigrants conformed neither to Canadians' racist conceptions of the ideal newcomer nor to their government's wish to populate the country with sturdy farmers. Jews tended to settle in the large metropolitan centres of Montreal and Toronto and in the emerging centre of Winnipeg. Many went to work in the insalubrious sweatshops of the burgeoning garment industry. The immigrants' institutional life owed more to their eastern European origins than to England or the United States.

By the First World War, Canadian Jewry was beginning to look beyond both its European origins and local concerns and to coalesce into a nationwide community. As noted earlier, the symbols and the instruments of that coalescence were the Zionist Organization of Canada and the Canadian Jewish Congress. In the 1930s, the Congress was



unable to exert 'Jewish power' in government circles. It did succeed, however, in playing a unifying leadership role in the community, which was coming to maturity amid the multiple challenges of the Great Depression, the rise to power by the Nazis in Germany, and the emergence of widespread, virulent antisemitism in Canada.

As noted earlier, there have been marked changes in Canadian society and in the Canadian Jewish community since the Second World War. For the first time since the 1920s, significant numbers of Jewish immigrants were again arriving in Canada. The newcomers came from Hungary, North Africa, South Africa, Israel, the former Soviet Union, and, in smaller numbers, from South America, western Europe, and the United States, thus creating a multicultural Jewish community. Among other benefits, the postwar decline of antisemitism resulted in expanded educational and economic opportunities for Jews.

One of the largest and most active Jewish communities in the world today, Canadian Jewry now possesses the demographic, cultural, and economic resources to create and sustain a significant cultural and religious life of its own. At the same time, it maintains a broad network of connections with the Jewish communities of the United States and with Israel. The earlier attachment of Canadians to Zionism has translated easily into passionate individual and institutional identification with the state of Israel. On the other hand, Canada's growing distance from Great Britain and its diminishing distance from the United States echo in Jewish life. American Jewry has come to exert a very powerful influence on the Canadian Jewish community.<sup>9</sup> Culturally and religiously, it is the American and not the Israeli nor the European denominational pattern that has taken root in Canada.

At present, differentiating Canadian Jewry from its American counterpart is largely a matter of perceiving nuances. For example, in Canada, Orthodoxy is more prominent than it is in the United States, and Reform is less so. Only the North African Sephardic Jewish communities established in Canada, predominantly in Montreal but also in Toronto, constitute an entity that defies categorization on the American denominational spectrum. American patterns are increasingly evident with regard to secular organizations, as well. This is most clearly demonstrated by the decline of the Canadian Jewish Congress as a national representative organization speaking for the Jews of Canada. As noted earlier, community Federations, the United Jewish Appeal, and the United Israel Appeal now exercise overwhelming power in the Canadian community, as they do in the American.

The number of Jewish organizations in Canada today, not to mention the variety of purposes, indicates a highly complex, if not unique, community. In its own way, each organization is trying to answer the perennial questions of Jewish modernity: "Who is a Jew, and what is his or her connection to the Jewish past?" These are questions that most constitutions attempt to answer in their provisions regarding membership qualifications and rights.

When examined historically, the documents in this book reveal the process by which Canadian Jewish organizations adapted to changing Canadian conditions and mores while attempting to preserve Jewish distinctiveness. Understanding its institutions will lead ultimately to an understanding of the community as a whole. That, in turn, will serve a wider purpose: shedding light on Canadian society, as a whole, and, as well, on the place of Jews and Judaism in the contemporary world.

## Notes

- 1 Ismar Schorsch, "On the History of the Political Judgment of the Jew," in Ismar Schorsch, *From Text to Context: The Turn to History in Modern Judaism* (Hanover, NH and London: University Press of New England, 1994), p. 121. Compare also, Daniel Elazar, *Community and Polity* (Philadelphia: Jewish Publication Society of America, 1976).
- 2 Irving Abella's *Canadian Jewry: Past, Present and Future* (Toronto: Centre for Jewish Studies at York University, 1998) presents a brief, very optimistic overview of the Canadian Jewish experience in its context.
- 3 Compare among other sources, Richard Menkis, "A Threefold Transformation: Jewish Studies, Canadian Universities, and the Canadian Jewish Community, 1950–1975," and Michael Brown, "The Canadian Context for Jewish Studies: An Introduction," both in *A Guide to the Study of Jewish Civilization in Canadian Universities*, Michael Brown, comp. and ed. (Jerusalem: The International Center for University Teaching of Jewish Civilization of the Hebrew University and Toronto: The Centre for Jewish Studies at York University, 1998), pp. 43–69 and 3–9 respectively; Harold Troper, "Ethnic Studies and the Classroom Discussion of Antisemitism: Personal Observations," in *Approaches to Antisemitism: Context and Curriculum*, Michael Brown, ed. (New York: The American Jewish Committee and Jerusalem: The International Center for University Teaching of Jewish Civilization, 1994), pp. 193–203.

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- 4 See Michael Brown, *Jew or Juif? Jews, French Canadians, and Anglo-Canadians, 1759–1914* (Philadelphia: Jewish Publication Society of America, 1987); *idem*, “The Beginning of Jewish Emancipation in Canada,” *Michael* 10 (1986): 31–38; and Sheldon J. and Judith C. Godfrey, *Search Out the Land: The Jews and the Growth of Equality in British Colonial America, 1740–1867* (Montreal and Kingston: McGill-Queen’s University Press, 1995). The last tends to gloss over the problematic of institutionalized Christianity.
- 5 See Michael Brown, “Divergent Paths: Early Zionism in Canada and the United States,” *Jewish Social Studies* 44 (spring 1982): 149–68; *idem*, “Canada and the Holy Land: Some North American Similarities and Differences,” in *With Eyes Toward Zion: Western Societies and the Holy Land*, Moshe Davis and Yehoshua Ben-Arieh, eds., vol. 3 (New York: Praeger, 1991), pp. 77–95.
- 6 See, for example, Alan Davies, ed., *Antisemitism in Canada: History and Interpretation* (Waterloo: Wilfrid Laurier University Press, 1992).
- 7 Irving Abella and Harold Troper, *None is Too Many: Canada and the Jews of Europe, 1933–1948* (Toronto: Lester and Orpen Denys, 1982).
- 8 For surveys of Canadian Jewish history, see Irving Abella, *A Coat of Many Colours: Two Centuries of Jewish Life in Canada* (Toronto: Lester and Orpen Denys, 1990); Gerald Tulchinsky, *Taking Root: The Origins of the Canadian Jewish Community* (Hanover and London: Brandeis University Press, 1993); and *idem*, *Branching Out: The Transformation of the Canadian Jewish Community* (Toronto: Stoddart, 1998).
- 9 See the discussion in Michael Brown, “The Americanization of Canadian Zionism, 1917–1982,” in *Contemporary Jewry: Studies in Honor of Moshe Davis*, Geoffrey Wigoder, ed. (Jerusalem: The Institute of Contemporary Jewry [of] the Hebrew University, 1984), pp. 129–58.