

This is a form of pressure we do not like, but it is not the imposition of foreign law within Canada.

Racial or religious discrimination, however, goes beyond questions of commercial policy and involves a moral principle of the highest order. Proponents of legislation against boycotts assert that boycott requirements are sometimes openly anti-Jewish in form and inherently anti-Jewish in practice. I hasten to say that I have not been in a position to make a thorough inquiry. I have no authority to examine company records. But I have questioned Canadians doing business in Arab countries and they have told me they have not been asked to boycott others on grounds of race or religion. The officials of the federal government who have been administering compliance with its boycott guidelines since 1976 state that they have not seen any boycott requirements which on their face seem to involve racial or religious discrimination. Those officials have, however, not seen boycott requirements made of Canadian firms that do not use the services of the federal government. I have asked proponents of boycott legislation for examples of Arab boycott requirements involving racial or religious discrimination and have been told that the application of the boycott has become more sophisticated and subtle and that overt discrimination is now rare.

Statements from Herzl onward indicate that Zionism is a political belief not a religion. But it has been suggested that discrimination against Zionists exists and that it is de facto racist because the great preponderance of Jews are Zionists; that Zionist is a code word for Jew. Such generalizations are open to wide argument. One can be anti-Zionist without being anti-Jewish. Some Jews are in fact anti-Zionist and some Zionists are not Jews. The boycott authorities in Arab states insist that the boycott does not discriminate among persons on the basis of their race or religion. Whether the Arab boycott is anti-Jewish in purpose could be proven only by Arab admission or by an Arab country conducting its boycott policy in a manner clearly indicating such is the case. I believe it would not be appropriate for the government of Canada to base a finding of racism or religious discrimination on anything but clear and unambiguous evidence. Belief or gut feeling that Zionist is a code word for Jew is an insufficient basis to take measures which stigmatize the Arab world as racist.

Actual proof of racism in the administration of the boycott would be something very different, something which Canadians would not wish to accept regardless of consequences. I should point out however that the Canadian Human Rights Act as it now stands prohibits discrimination in only a limited range of commercial transactions: the provision of goods, services, facilities or accommodation customarily available to the general public. The Act does not ban discrimination in the buying or acquisition even of items customarily available to the general public. It does not prohibit discrimination against corporations. In sum, the Act does not encompass commercial transactions generally. The question for the Parliament of Canada is not therefore whether