

Enough promises: Unleash the law in the fight against antisemitism

written by Arsen Ostrovsky | 24.01.2025

In a few days time, on January 27, we will mark International Holocaust Remembrance Day and 80 years since the liberation of Auschwitz.

However, the Holocaust did not begin with the crematoriums of this singular place of evil. That is where the road of life for Jews ended. Rather, it began with words, unbridled hate, and the singling out and dehumanization of an entire group of people.

Eighty years after we collectively said 'Never Again,' here we are - yet again - with antisemitism and Jew-hatred surging unabated in Canada and Australia, and cannot help but ask, what lessons - if any - have been learned from history?

Both countries, once seen as beacons of tolerance and oases of peace for Jews, have become unrecognizable today, with almost daily reports of Jewish schools targeted with gunfire, Synagogues firebombed, and Jewish-owned businesses vandalized, while our students are hounded on campuses, widespread violent attacks in the streets, and Jews being increasingly ostracized and excluded from public spaces.

To say the statistics are alarming would be an understatement. It has been nothing short of an unrestrained tsunami of Jew hatred.

In Canada, antisemitic incidents have surged by 670% in the past year, while in Australia, likewise, there has been a 700% increase since the Hamas-led October 7 massacre, with the Jewish community in both countries feeling relentlessly under siege. Even more troubling is that many of these incidents go unreported.

Leading Jewish communal organizations, including ours, have been unwavering, fighting back, advocating to all levels of government to face this scourge. Regrettably, the governments have failed to heed these repeated warnings.

Today, pro-forma condemnations of antisemitism, promises of action, and reiteration that this new strain of the world's older hatred does not represent the values of both countries, whilst welcome is entirely meaningless in the absence of

urgent and tangible action.

What should be done

A much more aggressive legal approach also needs to be added.

In Canada, lawsuits targeted Toronto Metropolitan University and unions, while court injunctions were sought and obtained to protect synagogues, Jewish schools, and Jewish community centers. In Australia, legal proceedings have also been initiated against the University of Sydney, under racial vilification laws, paving the way for the first broad class action lawsuit tackling post-October 7 campus antisemitism, with new laws also introduced against doxing, the display of neo-Nazi material and ensuring that glorifying and praising acts of terrorism are criminal offenses under Commonwealth law.

However, laws and task forces are only as good if they are backed by political willpower and enforced by the police and judicial authorities.

The police and security agencies cannot continue to allow the perpetrators of antisemitic attacks or those expressing support for proscribed terror groups to continue evading justice. Doing so will only encourage more attacks, as the perpetrators know they can act with impunity.

Legislation should also be considered mandating graver levels of punishment, including mandatory prison sentences for some of the most violent forms of antisemitic attacks and hate crimes, such as fire-bombings of Synagogues or Jewish schools.

There must also be a recognition that chanting phrases like “Globalize the Intifada” or “Free Palestine” are not calls for peace, and do not depend on ‘intent’ or ‘context’, but are a clear and unmistakable incitement to violence, directly targeting Jews. This should be codified into law.

Moreover, we should consider whether non-citizens who commit acts of antisemitism and terror should be deported. There can be zero tolerance or place for such hatred in our democratic societies.

Political leaders must also understand that when they effectively throw Israel under the bus in the international legal arena, such as the United Nations and the

international courts in The Hague, for their own domestic expedience, this leads to a more pervasive discourse on Israel and a direct correlation in the surge of antisemitism, as does repeatedly singling out the State of Israel for opprobrium, lecturing and differential treatment at home. This only emboldens perpetrators of antisemitism with a warped sense of justification to carry out their attacks against Jews and Jewish institutions.

The sad truth is that once great democracies, Australia and Canada, have failed to protect their Jewish communities.

Unremitting campaign of terror

Today, whereas the world's only Jewish state has been forced to defend itself from Hamas and existential wars being waged by Iran and their terror proxies, another unremitting campaign of terror has been unleashed upon the Jewish communities of Canada and Australia.

Many Jews are increasingly asking if they are still welcome in the countries they have called home for generations, or if they have been abandoned by the political leadership and society at large.

Britain's former Chief Rabbi, Lord Jonathan Sacks, once noted that a society that has no space for Jews has no space for humanity. As we look ahead to 2025, and on the eve of the 80th anniversary of the liberation of Auschwitz death camp, both Australia and Canada must therefore ask if they still have space for Jews and what kind of societies they wish to have.

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