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“And if not now, when?”*: Feminism and Anti-Semitism Beyond Clara Brett Martin

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In their response to Constance Backhouse, “Clara Brett Martin: Canadian Heroine or Not?”, and Lita-Rose Betcherman, “Clara Brett Martin’s Anti-Semitism”, the authors suggest ways to deepen the analysis of anti-semitism put forward in the articles by focusing less on matters of individual prejudice and discrimination, and, in particular, that of Clara Brett Martin, and more on the systemic dimensions of anti-semitism. They argue that interrogating the history and present manifestations of anti-semitism and investigating its more structural

* “If I am not for myself who will be? If I am only for myself what am I? And if not now, when?” Rabbi Hillel.

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and ideological aspects will take us further in understanding the processes which reinforce and reproduce anti-Semitism. The authors also consider how the silencing aspect of anti-Semitism has limited the extent to which anti-Semitism has been acknowledged and addressed within the feminist community. They conclude that we must address this silencing and undertake the difficult yet urgent task of confronting anti-Semitism within ourselves, the women's movement, and the broader Canadian society.

Repeatedly, I find that I am preoccupied not with countering anti-Semitism, but with trying to prove that anti-Semitism exists, that it is serious, and that, as lesbian/feminists, we should be paying attention to it both inside and outside the movement.¹

The discovery of Clara Brett Martin's anti-Semitism, and the debates that have ensued as we have struggled to come to terms with its implications, have launched us into a profoundly difficult process. Difficult because, to this point, anti-Semitism has been very little addressed within the context of feminist legal studies in Canada. And, addressing anti-Semitism means beginning the hard work involved in confronting yet another aspect of difference and power relations among women. The articles by Constance Backhouse and Lita-Rose Betcherman in this volume are important attempts to engage in this process.² Our initial reactions to these articles, as referees, were deeply emotional. We each struggled in our own way to find words to express these reactions. We were then provided the opportunity to develop our views more fully through a formal response. As Jewish feminists, the prospect of confronting the topic of anti-Semitism in a public way was daunting.³ But, through engaging in this process, we have gained important insight into the nature of anti-Semitism and its particular impact on the feminist legal community. We have also struggled with how to confront anti-Semitism in a constructive manner. We offer the following comments in the spirit of continuing the

3. Indeed, without the ground-breaking courage and insight of other Jewish feminists who have begun to confront and resist anti-Semitism in the public forum, it is unlikely we would have attempted the task. Their words and actions have inspired and encouraged us to add our voice. See Evelyn Torton Beck, ed., Nice Jewish Girls, Melanie Kaye Kantrowitz and Irene Klepfisz, eds., The Tribe of Dina: A Jewish Women's Anthology (Boston: Beacon Press, 1986); Irene Klepfisz, Dreams of an Insomniac: Jewish Feminist Essays, Speeches and Diatribes (Portland, Oregon: Eighth Mountain Press, 1990); Elly Bulkin et al., Yours in Struggle: Three Feminist Perspectives on Anti-Semitism and Racism (Ithaca, New York: Firebrand Books, 1984). For a Canadian perspective, see "Jewish Women's Issue", Fireweed (1992), forthcoming.
conversation begun courageously by Backhouse and Betcherman, and, of engaging in dialogue to deepen the analysis of anti-semitism within the context of feminist legal history and feminist engagement with law in general.

Constance Backhouse and Lita-Rose Betcherman have attempted to confront the anti-semitism manifest in the actions of Clara Brett Martin, the first woman to be admitted to the bar in the then British Empire. In “Clara Brett Martin: Canadian Heroine or Not?”, Constance Backhouse re-evaluates Clara Brett Martin’s earlier unquestioned status as a feminist heroine in light of the letter written by her in 1915 to the Attorney General of Ontario, which was replete with anti-semitic accusations and called for legislative action. In the process, Backhouse raises the important question of whether it is appropriate for contemporary feminists to rely on the concept of heroine. She regards this question as being important in relation to current debates in feminism concerning the inclusion of the diverse experiences, concerns, and priorities of women differently located in the web of social relations. The solution advanced by Backhouse is to continue to recognize as heroines, women such as Clara Brett Martin who challenge and resist the oppression to which they are subject, and to acknowledge the ways in which they have been, at the same time, complicit in, or even active perpetrators of, other forms of oppression. Lita-Rose Betcherman’s analysis is directed less to examining the implications of Clara Brett Martin’s anti-semitism for feminists, and more towards examining the nature of Clara Brett Martin’s anti-semitism. Betcherman’s historical analysis emphasizes that Clara Brett Martin, in writing to the Attorney General, did not simply reflect the prevailing anti-semitism of her time. To the contrary, she actively chose to reinforce it in a context where alternative discourses, that went some ways towards resisting and challenging anti-semitism, were available. Implicit in Betcherman’s conclusion is a challenge to those who might attempt to dismiss Clara Brett Martin’s anti-semitism as simply a reflection of the society of which she was a part.

Quite clearly then, Backhouse and Betcherman focus on different implications of Clara Brett Martin’s anti-semitism and come to essentially different conclusions. At the same time, the two authors move from similar premises. Most importantly, the approach they take to the analysis of anti-semitism tends to focus on individual prejudice and discrimination rather than on systemic and historically-rooted dimensions of anti-semitism. At one level this is not surprising: the systemic question of anti-semitism is ancillary, both in these pieces and in current legal feminist discourse, to the more particular question, “What do we do about Clara Brett Martin?” It is our view, however, that the systemic issue of anti-semitism needs to be addressed in its own right. While the issue has been raised initially in the quite narrow context of Clara Brett Martin it does not end there. We should move forward with more general and complex analyses of the nature and impact of anti-semitism in the broader historical context within which anti-semitism developed in Canada.

The history of the Jewish people, and the history of anti-semitism, stretching
across millenia and around the world, is enormously complex. In disciplines outside of law, the literature analyzing this history is large and rich, and contains many important debates within it. In this response, however, we will attempt only a brief consideration of the nature of anti-semitism and its historical development. Our intention is a modest one — to highlight some of the central themes in this long history, and to provide a framework within which to consider ways in which to further develop the analyses of Clara Brett Martin's anti-semitism offered by Backhouse and Betcherman. We rely on the work of Backhouse and Betcherman as points of departure to raise more general questions and issues in the analysis of anti-semitism. In the last part of this comment, we examine another aspect of anti-semitism, silencing. Silencing has affected and limited the extent to which anti-semitism has been acknowledged and addressed within the feminist legal community. We conclude by emphasizing the need to confront this silencing and to engage directly in analysis of anti-semitism beyond the individual context of one person, Clara Brett Martin.

Some Historical Considerations

A nuanced understanding of the wider historical context within which anti-semitism developed in Canada requires consideration of the political, economic, cultural, and ideological relations that produce and reproduce anti-semitism. Such an analysis focuses attention on the material relations which contributed to the

4. Indeed, one of the important historical works analyzing the nature of anti-semitism in early twentieth century Canada is a book by Lita-Rose Betcherman, *The Swastika and the Maple Leaf: Fascist Movements in Canada in the Thirties* (Toronto: Fitzhenry and Whiteside, 1975).

5. The focus of our discussion is primarily on the history of Ashkenazi Jews and the anti-semitism experienced by them rather than on the history of Sephardic and Mizrachi Jews. This is partially a result of our concern with the historical context of anti-semitism at the time of Clara Brett Martin's actions and partially a result of Ashkenazi hegemony in Jewish history. Ashkenazi Jews are the descendants of German Jews, large communities of whom migrated in the 15th and 16th centuries to Poland, Lithuania, and Bohemia. Sephardic Jews are the descendants of Jews who were originally from Spain, and who after their expulsion in 1492, established communities primarily in North Africa and the Mediterranean. Mizrachi Jews are the descendants of African and Asian Jews. For a discussion of the history of the Jewish people within Islamic countries, see Jane Gerber, "Anti-Semitism and the Muslim World", in *History and Hate: The Dimensions of Anti-Semitism*, ed. David Berger (Philadelphia: The Jewish Publication Society, 1986).

6. In this comment we rely on the term "anti-semitism", though we have concerns in relation to its use similar to those of Lynne Pearlman, "Through Jewish Lesbian Eyes: Rethinking Clara Brett Martin", *Canadian Journal of Women and the Law* 5 (1992): 317. As a historical note, the term "anti-semitism" was coined in 1870 in Germany to distinguish the particular form of Jew-hatred taking form at that time, articulated in terms of the racial character of Jews, from previous forms of Jew-hatred based on the Jewish religion and its relationship to Christianity. Subsequent adoption of the term was quick and widespread, and it continues as the term with greatest currency.
historical development of anti-semitic ideas, images, and stereotypes, as well as their manifestation in individuals and institutions, albeit in different ways and to different effect in different periods and places. Ideological analysis is useful in this context because it directs attention to "the connection between ideas, attitudes, and beliefs, on the one hand, and economic and political interests, on the other." It allows for recognition of some continuity of anti-semitic ideas, images, and stereotypes across place and time, together with recognition of the historical specificity of their reception and manifestation in varying degrees of social and political action and violence.

7. Characteristics with which Jews have been associated include "gaudiness, materialism, gracelessness, clannishness, pushiness, [and] exoticism": Todd Endelman, "Comparative Perspectives on Modern Anti-Semitism in the West", in History and Hate, 100. Jews have also been constructed as "malevolent, aggressive, sinister, self-directing, avaricious, destructive, socially clannish, spiritually retrograde, physically disagreeable and sexually overcharged": Endelman, ibid., 95. See also Sander Gilman, The Jew's Body (New York: Routledge, 1991). The contradictory nature of anti-semitic images and stereotypes has been particularly well expressed by Lucy S. Dawidowicz, The Jewish Presence: Essays on Identity and History (New York: Holt, Rinehart, and Winston, 1960), 212-3:

A pariah people everywhere for most of their history, Jews have been persecuted for believing in Judaism and excoriated for disbelieving; despised when poor and loathed when rich; shamed for their ignorance of the host culture and rebuffed for mastering it; denounced as capitalists and assailed as Communists; derided for their separatism and reviled for their assimilationism.

Anti-semitic images take particular forms in relation to women. Consider, for example, stereotypes of the Jewish mother and the Jewish American Princess.


9. While the past does not necessarily determine the shape of contemporary ideology, past images do provide a reserve of images upon which contemporary ideologies play: Lawrence, "Plain Common Sense", 68.

10. The following brief historical discussion is based primarily on the following works: David Berger, ed., History and Hate; Shmuel Almog, ed., Antisemitism Through The Ages (Toronto: Pergamon Press, 1986); Jacob Katz, From Prejudice to Destruction: Anti-Semitism, 1700-1933 (Cambridge: Harvard University Press, 1980); Meyer Weinberg, Because They Were Jews: A History of Anti-Semitism (Connecticut: Greenwood Press, 1986). It is important to note that there is virtually no gender analysis in these works, meaning that the specific anti-semitic images and stereotypes that apply to women are not considered. More recently, Jewish feminists have begun to examine the particular impact of anti-semitism on Jewish women. See Beck, ed., Nice Jewish Girls; Kaye Kantrowitz and Klepfisz, eds., The Tribe of Dina; Klepfisz, Dreams of an Insomniac,
Distinguishing between anti-semitic ideas and personal attitudes, on the one hand, and the manifestation of such ideas and attitudes in institutional action, on the other hand, is also fundamental to an analysis of anti-semitism. Anti-semitism, at one level, involves personal prejudice. Sometimes and in some places it is expressed only in "private acts of contempt and exclusion,"¹¹ without recourse to the state or other institutional forces. In other cases, anti-semites seek to "harness the coercive power of the state to their hatred and fear of Jews..."¹² Anti-semitism then becomes much more than the product of "personally cruel individuals". It becomes a product, rather, "of actions by privileged sectors of a society attempting to preserve their prerogatives and to deny equality to others."¹³ The ways these two forms of anti-semitism combine in a particular context will be dependent on the particular history of the region or state in question.¹⁴ Even the pattern of how personal prejudice develops cannot be understood without inquiring into the social, political, economic, and ideological context in which such attitudes arise.¹⁵ To focus only on personal prejudice while excluding the context of state involvement, is to miss the ways in which anti-semitism has structural and systemic aspects as well as individualized aspects.

Central to the ideological development of anti-semitism, is the construction of Jews as "other", as alien.¹⁶ During the Hellenistic and Roman periods, hostility towards Jews was fairly widespread. Their adherence to their own religion and culture was seen as nonconformist, threatening, and hostile towards other religions.¹⁷ To this construction of otherness was later added explicit religious

Bulkin, ed., Yours in Struggle.

12. Ibid.
13. Weinberg, Because They Were Jews, 263.
15. Weinberg, Because They Were Jews, xv; Berger, History and Hate, 5.
17. For more detailed discussions of anti-semitism in antiquity, see generally Louis Feldman, "Anti-Semitism in the Ancient World", in History and Hate; Menahem Stern, “Anti-Semitism in Rome”, in Anti-Semitism Through the Ages; Moshe David Herr, "The Sages’ Reaction to Anti-Semitism in the Hellenistic-Roman World", in Anti-Semitism Through the Ages; Meyer Weinberg, Because They Were Jews; Herbert Hirsch and Jack Spiro, eds., “Introduction”, in Persistent Prejudice: Perspectives on Anti-Semitism (Fairfax, Virginia: George Mason University Press, 1988), 2-3. Jacob Katz, has argued in From Prejudice to Destruction, that the anti-semitism of Antiquity did not receive any substantial religious sanction. However, certain derogatory stereotypes about Jews began to emerge — stereotypes that would reappear throughout the history of anti-semitism. For example, the image of Jews as separate and isolationist emerged. As Moshe David Herr has written "The Sages’ Reaction", 28: ‘The Jews' separation and isolation from the gentiles in dining and drinking and especially in marriage was...a primary factor in accusing the Jews of being misanthropic." It is, at the same time, important to recognize that many Jewish communities gained the freedom to practice their religion, that relations with Jews and the Roman government were often characterized by alliance and toleration as well as by
justification in Medieval Europe through the concept of a monotheistic European Christendom, intolerant of any form of deviation. Jews, as a significant minority in Europe at the time, suffered persecution as religious deviants together with pagans, ‘witches’, and Gypsies (Romanis). The religious focus of anti-Semitic discourses in Medieval Europe did not preclude the relevance of economic factors. The 11th and 12th centuries witnessed a significant economic expansion in Western Europe, which resulted in an increased demand for capital. The Church, however, forbade Christian usury: Christians were prohibited from persecution, and that despite the popular discourse of hostility, Jews regulated their own religious and communal affairs. As Louis Feldman argues: “[a]ncient anti-Semitism was significant and widespread, but it was part of a varied and complex reality.” Feldman, “Ancient World”, 15.

18. Berger, “Overview”, 6. As Robert Chazan describes, in “Medieval Anti-Semitism”, in History and Hate, 53:

...Jews were viewed, on the very simplest level, as religiously wrong. Since a basic Christian assumption was the exclusive religious truth of Christianity, it followed that Jews, along with other non-Christians, were in error...[Further], the Jews were alleged to have done worse than reject the messianic figure whom they should have recognized as promised to them — they had done him to death.

19. In relation to Gypsies, who prefer the name Rom or Romanis, see Ian Hancock, The Pariah Syndrome (Ann Arbor: Karoma Publishers, 1987). In relation to “witches” see Hugh Trevor-Roper, The European Witch-Craze of the Sixteenth and Seventeenth Centuries and Other Essays (New York: Harper and Row, 1956), 90-192. Indeed, the persecution of Jews and the persecution of witches had many important similarities. As Trevor-Roper writes, 110, despite the fact that the persecutions “reached their climaxes in different places at different times...[t]he witch and the Jew both represent social non-conformity.” He argues that they were in many important respects, interchangeable as victims. Leon Poliakov has similarly observed that “witch-hunters were Jew-hunters: Jews were regarded as part of a kind of impious family: Devil, Jew, witch.” Leon Poliakov, The History of Anti-Semitism: From the Time of Christ to the Court Jews (London: Vanguard Press, 1965), 153. In fact, through the Middle Ages, Jews increasingly came to be associated with the Devil in Christian thought and culture. For a discussion of the transformation and convergence of the Christian conception of Satan and of the Jews, see Robert Bonfil, “The Devil and the Jews in the Christian Consciousness of the Middle Ages”, in Anti-Semitism Through the Ages. This image of Jew as evil, satanic Christ-killer gave rise to a series of accusations including well-poisonings, blood libel, and host desecration which frequently provoked outbreaks of anti-Semitic violence. Jews were accused for example of poisoning wells as part of a conspiracy to kill all Christians, and were in turn blamed for the outbreak of the plague — the “Black Death” which killed up to one-third of Europe’s population between 1346 and 1361. See Mordechai Brever, “The Black Death and Anti-Semitism”, in Anti-Semitism Through the Ages. According to the blood libel, Jews were accused of drinking wine and/or eating matzoh made of the blood of murdered Christian youths. According to the host desecration libel, Jews obtained consecrated host wafers and then mutilated the body and blood of Christ. See Chazan, “Medieval Anti-Semitism”, 61-62; Paul Grosser and Edwin Halperin, Anti-Semitism: Causes and Effects (New York: Philosophical Library, 1983); Poliakov, The History of Anti-Semitism; and Jacob Marcus, The Jew in the Medieval World — A Source Book: 1315-1791 (New York: Harper and Row, 1965). Jews and Romanis also have a similar history of persecution: see “Letter to the Editor” in Bridges: A Journal for Jewish Feminists and Our Friends, 2 (1991): 7-8.

lending money for interest to other Christians. As Robert Chazan has described, the combination of these factors "served to open to the Jews vast new opportunities in banking." The down-side to this enhancement of economic opportunities for Jews was the concommitant reinforcement and extension of the construction of Jewish people as hostile "others":

When Bernard of Clairvaux could, in passing and gratuitously, use the verb "to Jew" as a synonym for money lending, then surely a dangerous new negative image had developed.

By the 13th century, a Christian mercantile class emerged and the economic need for Jews declined. However, the negative stereotypes that had been created during this brief period of prosperity did not. By the end of the century, the Jews began to be expelled from the countries of Western Europe.

With the rise of liberalism in the 18th century Europe, Jews were for the first time granted a measure of legal equality in some regions. This amelioration can

22. Ibid., 57. This stereotype of the Jew as moneylender, as epitomized in the Shylock character of Shakespeare's Merchant of Venice, has been a central image in anti-semitic discourse since the Middle Ages.
24. The Jews were subject to a series of expulsions from the countries of Europe from the 13th to 15th centuries: they were expelled from England in 1290, from France in 1306, from Spain in 1492, and from German countries throughout the 14th and 15th centuries. Berger, "Overview", 62:

...it is no accident that in the Middle Ages Jews were welcomed primarily in less-developed regions like thirteenth century Spain, and even later, Bohemia, Austria, and Poland. To make matters worse, the remaining economic activity in which Jews came to be concentrated was a natural spawning-ground for intense hostility: money lending may be a necessity but it does not generate affection.

See also Chazan, "Medieval Anti-Semitism", 56-57.
25. Meyer Weinberg, Because They Were Jews, xiv. This amelioration was not the case in the countries of Eastern Europe during this time. In Russia, for example, the persecution of Jews continued to escalate in the 18th century. As Weinberg describes, 182:

Ivan the Terrible (1533-44) openly declared his hope of totally excluding Jews. A century later, under Peter the Great (1682-1725), Jews were all but barred from the Empire. His successor, Catherine I (1725-27) banished Jews from all cities. Complete exclusion was achieved only under the religious zealot Elizabeth I (1741-62) when Jewish merchants and others were expelled from the country. 'I do not want to have any income from the enemies of Christ', she declared.

In the late 18th and 19th centuries Russian Jews faced a series of legal enactments restricting, inter alia, where they could live, what work they could engage in, when they could marry, and if and where they could go to school. See Weinberg, Because They Were Jews, 181-185. Similarly, as Endelman describes in "Modern Anti-Semitism", 101-102:

In the German states before 1871 and in the Hapsburg Empire before 1867, Jews were routinely prevented from settling in certain towns and entering certain occupations. Even after formal emancipation, Jews in German-speaking lands still suffered from a
be contrasted to the treatment of other peoples who suffered from the contemporaneous rise of European imperialism and the development of the slave trade. However, the late 19th century, particularly the 1870’s and 1880’s, saw a resurgence of anti-semitism throughout Europe. Numerous factors contributed to this development. There was, at the time, “a general rebellion against the liberalism and modernity that were responsible for emancipating the Jews”. This reaction was related to the rise of nationalism and the notion of the organic unity of the state. These developments reinforced the construction of Jews as “other”. Economic factors played a related role. Following a period of considerable economic growth, Europe experienced an economic collapse in 1873, which marked the start of a depression that continued until the end of the century. Jewish economic activity, particularly in banking and finance, was blamed for the collapse. More generally, political elites and intellectuals sought at this time to manipulate public opinion and promote anti-semitism within a broad social, economic, political, and cultural context. Politicians, journalists, and writers


26. This anti-semitism took different forms across Europe. Endelman, “Modern Anti-Semitism”, xxi, argues that public anti-semitism in the form of the attempt “to harness the coercive power of the State to their hatred and fear of Jews with the goal of reversing Jewish emancipation, by legislative or bureaucratic means and thereby blocking the integration of Jews into the mainstream of national life” was more prevalent in Germany and Austria. England was characterized by a more private anti-semitism: “...expressions of contempt and discrimination outside the realm of public life — in business and industry, in clubs and resorts, in private schools and universities, on stage, and in the press.” Ibid., 104-105. In Eastern Europe, anti-semitism was yet more virulent. In Russia and Russian Poland, the anti-semitism of the late 19th century took particularly violent forms. The first modern pogrom occurred in Odessa in 1871. While it at first appeared to be an isolated event, within 10 years, a series of pogroms had occurred in 200 different localities. A pogrom occurred the same year in Warsaw. Further pogroms were recorded in 1883, 1884, 1891, 1897, and 1899. While the Russian state did not appear to have been directly responsible for the pogroms, Weinberg has argued, in Because They were Jews, 184, it did little to prevent them, and can indeed be seen to have encouraged them: In August 1881 a government memorandum blamed the pogroms not on their instigators but on their victims. It referred to “the detriment caused to the Christian population of the Empire by the activity of the Jews, their tribal exclusiveness and religious fanaticism.” Further, the document complained about an “exploitation” [by Jews] of the indigenous population and mostly of the poorer classes.


28. Jacob Katz, “The Preparatory Stage of the Modern Anti-Semitic Movement (1873-1879)”, in Anti-Semitism Through the Ages, 286, argues against a simple equation between the economic crisis and the rise of anti-semitism. He notes that in Austria there was no anti-semitic response to the economic crisis until 1879, and in Germany the first anti-semitic responses did not appear for a year and a half after the crisis. He argues that although “...the economic factor did lend strength to the Conservatives attack upon the Liberals and the Jews...in time...the opposition to the Jews became removed from its original context, became an independent matter, and was even
exploited the prevalence of anti-Jewish sentiment, and in so doing, developed a new anti-semitic discourse, which relied more on racial justifications than on religious ideas. However, the central feature of anti-semitism remained essentially the same as in the medieval period. Jewish people were constructed as a hostile and evil “other.” While the particular historical period of anti-semitism with which we are concerned is the late 19th and early 20th centuries, an historical discussion of anti-semitism would not be complete without at least mentioning the rise of its most vicious form in the 20th century, culminating in the slaughter of six million Jews by the Nazis in the Holocaust.

Anti-Semitism and Clara Brett Martin

With this framework for understanding anti-semitism, we turn to consider Clara Brett Martin. We welcome Constance Backhouse’s unequivocal condemnation of anti-semitism, both past and present. At the same time, however, it is important to discuss some of the limitations of her analysis for understanding anti-semitism. Anti-semitism is not just a matter of anti-Jewish acts in the abstract—it has concrete effects which depend on the social power of the actor and how that power is used. Clara Brett Martin was not simply an individual who expressed prejudice against Jews. She was a woman with public recognition and presented as a substitute for the general social and economic criticism.”

30. Endelman, “Modern Anti-Semitism”, 99. However there has been considerable debate among scholars regarding the continuity between anti-semitism of the Middle Ages and anti-semitism of the 19th century, in particular, that of the 1870s and 1880s. Some scholars argue that there was a fundamental transformation from an explicitly religious anti-semitism to a racially-based secular anti-semitism. See Shmuel Ettinger, “Jew-Hatred in its Historical Context”, in Anti-Semitism Through The Ages. As Endelman describes, 97, others have “tended to downplay the novelty of the racial anti-semitism that allegedly made its debut at that time and to stress the continuity of anti-semitic beliefs since the beginnings of the Jewish emancipation in the previous century.” Historians including Leon Poliakov and Jacob Katz have documented the emergence of specifically racist discourses of anti-semitism prior to the 1870s. In Endelman’s view, however, 99:

To be sure, the vocabulary of anti-semitism became secular—accusations of racial mongrelization and capitalist knavery replaced those of blasphemy and deicide—but the fundamental animus remained constant: the Jew was the embodiment of evil. His image served the same function in the mind of the modern anti-Semite that it had in the mind of his ancestors: it represented the forces of darkness that were seeking to overwhelm the world he knew.

31. The effect of the Holocaust was to destroy European Jewry as it had been. The aftermath of World War II was characterized by a brief reprieve from public anti-semitism in the West, although it continued relatively unabated in Eastern Europe. Public anti-semitism rose again in the McCarthy-era in the United States, and took on new and specific forms in the 1960s and 1970s in relation to Israel. More recently, there has been a rise of anti-semitism in Europe, with the growth of Neo-Nazi movements, as well as in Canada where synagogues have been vandalized and gravesites desecrated.
considerable power. She was a member of the Law Society of Upper Canada and an officer of the Court. That she was a woman undoubtedly attenuated her relative social power when compared to her male counterparts. Nonetheless, given her status as a prominent lawyer, her letter to the Attorney General’s office would certainly have been treated seriously. The letter was not simply an act of personal, private prejudice or discrimination by Clara Brett Martin. It was a lobbying of the state to take legislative action on anti-semitic grounds. This institutional dimension relates not so much to Clara Brett Martin’s attitudes and feelings about Jews, as to the significance of her social power and the ways she used it. The individualistic focus of Backhouse’s analysis only partially captures the nature and impact of the anti-semitism propagated by Clara Brett Martin.

Backhouse attempts to situate Clara Brett Martin’s prejudice within a larger social context when she asks whether that anti-semitic context could excuse Martin’s individual actions. We agree with Backhouse that it does not. Recognizing that an individual has taken anti-semitic actions consistent with the social and historical context of her time, should not lead us to excuse, minimize, or apologize for those actions. As Backhouse suggests (and Lita-Rose Betcherman confirms), there must have been active resistance to anti-semitism at the time Clara Brett Martin wrote her letter, and consequently, “[t]here [were] choices to be made, and Canada’s first woman lawyer chose to perpetrate some of the abuses, not to fight them.”

Unfortunately, this contextual approach is not sustained by Backhouse in her other attempts to situate Clara Brett Martin’s anti-semitism. Her analysis remains individualized when she argues, for example, that Clara Brett Martin must not have been completely prejudiced because, for a short time, she had a Jewish secretary. While Backhouse is careful not to suggest that this fact mitigates the reality that Clara Brett Martin “discriminated with force and clarity” against Jews at other times, for her the employment of Lillian Simon demonstrates that Clara Brett Martin “did not discriminate against all Jews.” In other words, Backhouse suggests that a willingness to employ a Jew, and treat her well as an employee, might be tantamount to non-discrimination. This conclusion is somewhat difficult given the inherent inequality of an employment relationship. A further difficulty lies in the fact that Lillian Simon was a Jew who could pass in the gentile world. This capacity raises the concern that Clara Brett Martin’s tolerance of Jews may have been limited to those who did not manifest the characteristics of

32. Indeed, this is clear from the response to her letter from the Attorney General’s office. See Backhouse, “Héroine or Not?”, Appendix, 277; Betcherman, “Clara Brett Martin’s Anti-Semitism”.
33. Ibid., Backhouse, 268, 270.
34. Ibid., 270.
35. Ibid., 268.
Jewish stereotypes. Tolerance of this sort, however, is of little value. It can serve to reinforce rather than challenge the oppression of those Jews who cannot, or choose not to, conform to the norms of the dominant society.

Yet, even putting these questions aside for the moment, the focus of Backhouse’s analysis of Clara Brett Martin’s anti-semitism remains limited to prejudice displayed against individual Jews in individual contexts. The issue is framed as being one of “coming to grips with the complexity of human behaviour and emotion, to recognize that individuals are seldom unequivocally and absolutely bigoted”.

As we have already discussed, while this kind of psychological account is important, it is important to go beyond it and examine how anti-semitism develops into, and operates as, dominant ideology.

The individualist focus of Backhouse’s analysis leads her in the end to our last problem. She explicitly acknowledges that underlying her concern to retain an “evolving, rehabilitated” notion of heroine within feminism, is an attempt to ensure that we do not lose sight of the lives of individual women in reconstructing feminist historiographies. This is contrasted to the view of those who consider “the very concept of “heroine [as] problematic” in that “it serves to deify certain individuals, lionizing their personal deeds artificially and without a full appreciation of the role of the collectivity”.

The objection to the notion of heroine, however, is an important argument. It is one that we think Backhouse has not taken seriously enough, and has dismissed too quickly. Surely the issue is not that individual women should not be studied, but that they should be more fully considered in their complexity; that the contradictions of their lives must be confronted, not submerged. Whatever Clara Brett Martin accomplished, for example, and whomever’s interests she has since been interpreted as advancing, her successes must be recognized as being limited as to the range of women to which they must have been meant to apply. It is not clear to us how a concept of heroine helps to reveal this limitation.

In fact, it seems that the notion of heroine, even a rehabilitated one, serves more to submerge, rather than confront the contradictions in women’s lives and the political implications which they carry for differently-located women. These issues are crucial ones, but it is precisely these issues that we risk losing sight of when we focus on whether individual women should, or should not be, considered heroines. Backhouse’s argument for putting Clara Brett Martin back on a heroine’s pedestal, albeit a less glorified one, illustrates this point. For example, she makes numerous references to Clara Brett Martin as merely having committed “human error”. Clara Brett Martin’s anti-semitism is discussed as a “human failing”, a “deficiency”, she is a woman who merely “made mistakes”.

37. Ibid., 268.
38. Ibid., 268, 272.
39. Ibid., 271.
40. Ibid., 275.
however, is not a mistake about which we should take “an expansive appreciation”. It is not something that should be simply dismissed as an individual deficiency. It is, rather, a much more complex and pervasive phenomenon. Characterizing anti-semitism as merely an individual “error” or “mistake” misses the way it is systemic and ideological. Within Backhouse’s individualist framework, it is difficult not to focus on whether Clara Brett Martin nonetheless remains a “good” person and feminist “heroine” despite her anti-semitism, rather than to directly confront the complexity of anti-semitism and its relationship to feminism.

In contrast to Backhouse, Betcherman attempts to confront much more directly the nature of anti-semitism in Ontario at the time that Clara Brett Martin wrote her letter. She concludes that Clara Brett Martin did not simply reflect prevailing anti-semitism. Rather, she reinforced and attempted to institutionalize anti-semitism at a time when an alternative discourse was available that to some extent resisted and challenged anti-semitism. Betcherman’s discussion of the nature of anti-semitism in Toronto at the turn of the century and the discourse of resistance to it in the press, provides extremely important historical information. Her argument that Clara Brett Martin indeed had a choice to make is well taken.

However, Betcherman’s overall analysis of Clara Brett Martin and of anti-semitism requires development in two important respects. First, while she situates Clara Brett Martin’s anti-semitism within a context of the prevailing discourses of anti-semitism, we think it is important to deconstruct these discourses by locating them within the more general historical and structural context of anti-semitism. Secondly, despite her insightful discussion of the broader context of the anti-semitism of the day within which we get a glimpse of the impact of these anti-semitic discourses and policies on Jews, her analysis too, is at times overly individualistic in focusing on the particular anti-semitism of a particular woman. A more developed analysis could integrate the long history of anti-semitism that preceded the events discussed in this article — a history that demonstrates the economic, political, religious, and ideological aspects of anti-semitism in addition to its manifestation in individuals.

Betcherman describes her motivation in writing the article as being a feminist concern with “discrimination against immigrant and visible-minority women.” While this issue is certainly an important one, the long history of anti-semitism and its vast reservoir of derogatory images suggests that more was going on than general “hostility to immigrants”, when anti-semitic discourses, policies, and
laws were constructed in Canada. Consideration of the particular forms of hostility to which Jews were subjected is important. While Betcherman’s analysis introduces some of this history and reveals some of these anti-Semitic images and stereotypes in the prevailing discourse, it is also important to further problematize these derogatory images and stereotypes. For example, in discussing the causes of anti-Semitism, Betcherman observes that “[i]t was not only the number of Jews settling in Toronto that contributed to anti-Semitism. It was also their poverty and different ways.”

Surely, however, the perception of substantial Jewish immigration and the emphasis on the poverty of those who arrived, and their “different ways”, were some of the forms in which anti-Semitism was articulated, rather than the actual sources of Canadian anti-Semitism. In other words, it is important to analyze the extent to which the discourse used to describe the ostensible causes of anti-Semitism was often itself loaded with anti-Semitism. Rather than simply accepting the alleged attributes of Jewish people, it is important to challenge these constructions. For example, instead of accepting the poverty of Jewish immigrants settling in Toronto as a cause of anti-Semitism, it is important to explore whether Jews were in fact poorer than other immigrants, or whether they were just being singled out as a result of anti-Semitism.

Similarly, Betcherman observes that Jews “remained ghettoized” in the Ward in Toronto, but does not fully explore why this was so. Could Jews have obtained housing outside of the area of the Ward, or did landlords discriminate in those to whom they rented? Could Jews afford to live anywhere else? Did Jews tend to live in the same place because of their need for protection and community in an otherwise anti-Semitic environment?

More generally, the suggestion that the failure of Jewish immigrants to

46. Ibid., 288.
47. Betcherman does emphasize, at earlier points in her article, 282, 287, that the Jews were not in a general sense singled out for discrimination, but rather, that all Eastern European immigrants and indeed, all non-Northern European immigrants were subject to the prevailing xenophobia. She observes, at the same time, some factors that contributed to anti-Semitism, and the focus on Jewish immigrants in particular. At 282, she notes that “traditional prejudice pursued them to their new land” and at 287, after observing the racism directed towards other ethnic groups in other parts of Canada she concludes that in Toronto “Jews” comprised the largest non-British immigrant group, and as a result, drew the most fire.” This analysis of the extent to which Jews were singled out, and the particular nature of the anti-Semitic focus on Jews could be further developed. In terms of the poverty of the Jews in particular, Betcherman tells us only of the media imagery of the Jews — that Jews were depicted as the poorest of the immigrants. It thus remains uncertain whether the Jews were singled out in this respect, and the anti-Semitic discourse implicated therein remains uninterrogated. Ibid., 288.
48. Ibid. Betcherman simply observes that there were “external and internal pressures” responsible for such continued ghettoization.
49. Indeed, earlier, Betcherman refers to the practice that Jews “took care of their own”. This observation might be connected with the discussion of ghettoization to further reveal the complexity of this phenomenon. It is important to recognize that this practice of community support was likely aided by the fact that many lived in close proximity to one another.
assimilate was a cause of anti-semitism obscures the nature and impact of anti-semitism on Jews. Assimilation is a response, indeed, a survival strategy, for individuals and communities subjected to societal hostility and hatred. Viewed in this light, the preservation of “old country folkways” by Jews must not be seen as a cause of anti-semitism. Rather, the reaction of the dominant Canadian society to this failure or refusal to assimilate should be understood as a particular manifestation of historically-rooted anti-semitism. The refusal of Jewish immigrants to assimilate must be seen also as an assertion of agency and resistance in the face of this anti-semitism. 50

A second area of Betcherman’s analysis that could be taken further is her discussion of the sources of Clara Brett Martin’s anti-semitism. Betcherman presents a number of possible explanations for Clara Brett Martin’s anti-semitism, but these explanations remain individualized. She suggests, for example, that Clara Brett Martin’s racial prejudice may have been acquired from “living near a people very different from herself”. 51 She also traces particular anti-semitic individuals to whom Clara Brett Martin was likely exposed, such as Goldwin Smith. 52 It is

50. Jacob Katz, *From Prejudice to Destruction*, 322, argues that the central factor in the upsurge of anti-semitism in the late 19th century was “the very presence of the unique Jewish community among the other nations” — that is — the failure of the Jews to assimilate into the broader societies within which they lived. Although recognized as a factor in understanding anti-semitism, other scholars have argued that this failure to assimilate cannot be seen as the decisive factor. Endelman, *Modern Anti-Semitism*, for example, argues, 111:

...if Katz’s interpretation were correct, it would follow that in those countries where Jewish solidarity and particularism remained strongest in the post-emancipation era, anti-semitism would have been at its deadliest. But in fact just the opposite was true. In the years 1870-1939, in the liberal states of the West — Great Britain and the United States — where Jewish ethnicity and visibility were not radically attenuated, public Anti-Semitism was weaker than it was in Germany, where assimilation had taken a far more extreme course.

It is, at the same time, important to recognize the extent to which Jews themselves have understood anti-semitism as being caused by their failure to assimilate. As Endelman writes, ibid., 109-110:

During the late nineteenth and early twentieth centuries, western Jewish leaders often blamed their own people for the resurgence of anti-Jewish feelings. Specifically, they felt that Jewish behaviour that called attention to the existence of the Jews as a distinct group fuelled the fires of prejudice...For example, in December 1880, at the peak of an early wave of political anti-semitism the Deutsch-Israelitischer Gemeindebond urged German Jews to avoid displays of arrogance, superiority, aggressiveness, contentiousness, and ostentation; to pursue crafts rather than commerce; to deal honestly with Christians in business; and to forswear socializing exclusively among themselves and instead seek — although not too aggressively — companionship in Christian society.

See also Weinberg, *Because They Were Jews*, xvi-xvii, against blaming Jews for anti-semitism and Lynne Pearlman, “Through Jewish Lesbian Eyes”, who discusses this as internalized anti-semitism.


52. Ibid., “Possibly his diatribes against the Jewish people took root in her mind,” 291.
important to consider, however, the interaction between possible triggers of anti-semitism such as living near Jews or knowing anti-semites, and the deeper ideologies of anti-semitism pervasive in Canadian society and manifest in the thoughts and actions of individuals like Clara Brett Martin. It will be through analysis directed to the ideological nature of anti-semitism that we will be able to deepen our understanding of the reproduction of anti-semitism through its individual manifestations.

Another illustration of the problematic nature of Betcherman’s individualistic focus lies in the very project undertaken in her article — namely, to “place” Clara Brett Martin on “the spectrum of opinion regarding ethnic minorities [which] ranged from tolerance through all shades of prejudice to outright discrimination”.53 To situate one individual on a spectrum of opinion constructed on the basis of other individuals, risks overlooking the ways that the range of individual opinions converge, sometimes leaving the realm of ideas and erupting into direct discrimination and even state-sanctioned violence. When we remain focused on the particular anti-semitism of individual anti-semites, we risk losing sight of the forest of structural anti-semitism and its impact on Jews.

To counter this problem we believe that it is necessary to emphasise the ways Clara Brett Martin did not simply reflect the prevailing anti-semitism of her time, but served to propagate, reinforce, and institutionalize that anti-semitism, by calling on the state to take legislative action. We could then increase our understanding of Clara Brett Martin’s actions within her own context while taking account of the ways by which she was influenced, and in fact may have helped reinforce and reproduce, ideological forms of anti-semitism.

**Confronting Anti-Semitism and Feminism: Beyond Clara Brett Martin**

Backhouse and Betcherman have taken an important step to confront anti-semitism in the history of the Canadian women’s movement and women’s involvement in the legal profession in Canada. As Backhouse suggests, we can move from the discovery of Clara Brett Martin’s anti-semitism “to produce more research on the history of anti-semitism, and its current manifestations in our profession and in society.”54 In our brief analysis, we have drawn attention to aspects of anti-semitism that require further investigation and analysis. We want to conclude with some questions... questions for which there are no obvious answers, but questions with which we believe the feminist legal community, and the women’s movement in general, must engage. Why is the feminist legal community so focused on Clara Brett Martin? Why do we feel the need to defend

53. Ibid., 283.
her honour? Why is our first response an attempt to situate and understand her anti-semitism? Why have we not responded to the discovery of Clara Brett Martin’s anti-semitism by interrogating anti-semitism within the women’s movement, past and present, and working towards strategies of transcending this form of hatred and oppression? Why do we never directly confront anti-semitism? Indeed, why are we so afraid to do so?

The “we” here gets complicated — “We” (the writers) are engaging “we” the women’s movement; but “we” the writers are two Jewish feminists, and the last question is at some level directed more to ourselves and others as Jewish feminists. Though it is imperative that feminists confront anti-semitism, this is not an easy thing to do, particularly for women who are Jews.55 Breaking through the silence, and daring to confront a form of oppression that has always been denied — coming out as Jews, and confronting the anti-semitism that pervades our everyday lives and struggles — is a terrifying prospect. It is terrifying for all the reasons that have made us suppress our voice and identity for so long.56

It is terrifying because we have no reason to believe that we will not be met with disbelief at best, and hostile negation at worst. We fear that speaking out as Jewish feminists against anti-semitism will only reinforce the stereotypes of Jewish women as loud and pushy; that having our words published will only reinforce the stereotypes of Jews as powerful. We fear, in other words, that, in speaking out, we will run into a wall of anti-semitism. The very images that we want to challenge will only be reproduced, as we are recognized as only the privileged, the powerful, the oppressors. We do not deny that in our particular situation as third and fourth generation Canadian Ashkenazi Jewish women, we are now privileged in relation to our skin colour, our economic circumstances, and our education.57 But this does not mean that we, and other Jewish feminists like

55. It is important to consider Lita-Rose Betcherman’s early and groundbreaking work on the history of anti-semitism in the 1930s in this light: “The Swastika and the Maple Leaf”.

56. As Irene Klepfsz writes in Nice Jewish Girls, 53:

I believe that Jewish lesbian/feminists have internalized much of the subtle anti-semitism of this society. They have been told that Jews are too pushy, too aggressive; and so they have been silent about their Jewishness, have not protected themselves against what threatens them. They have been told that they control everything and so when they are in the spotlight they have been afraid to draw attention to their Jewishness. For these women, the number of Jews active in the movement is not a source of pride, but rather a source of embarrassment, something to be played down, something to be minimized.

This work is the first we have written as Jewish feminists, and for all these reasons it is with considerable trepidation that we now do so.

57. The question of white skin privilege, and of race more generally, is a complicated one in relation to Jews. First, not all Jews are white — many Sephardic and most Mizrachi Jews are Jews of colour. Secondly there is the question of where Jews are located in relation to white supremacy, and whether Jews constitute a race. Indeed, the understanding of the Jewish people as a race has been a fundamental component of the anti-semitism of the 19th and 20th centuries. Further there is the issue of assimilation. The white skin of Ashkenazi Jews, as well as the association of
us, do not face anti-semitism in our lives. Nor does it mean that all Jewish feminists share these dimensions of privilege.

We fear as well that you will hear what we are not saying... we are not saying that with respect to our identity as Jews we are as oppressed as women of colour, as lesbians, as disabled women; nor are we saying that we, in our identity as Jews, are oppressed in the same way as women of colour, as lesbians, as disabled women. We are claiming neither privilege nor symmetry for the hatred and oppression to which we may be subjected. Indeed, our arguments are based on a rejection of either privileging or analogizing oppressions. Anti-semitism is not "just like" some other form of hatred or oppression. It is not just like racism, or sexism, or heterosexism. It is a form of hatred and oppression with a very particular history, and a very particular present. It is alive and well in Canadian society, and alive and well in the Canadian women’s movement. It is a particular "ism" that will require a lot of hard work on the part of individuals alone and together within the women’s movement to understand and confront — within ourselves and each other.

With this challenge in mind, we return to the first question asked above, namely why are we so focused on Clara Brett Martin? The answer is, at a certain level, obvious: Clara Brett Martin was the first woman to be admitted to the legal profession, in the then British Empire. Yet, this very construction of Clara Brett Martin is part of our problem. By universalizing the category of woman, by privileging gender over race and class and religion, we set ourselves up for difficulty. It is essential that we not lose sight of the fact that Clara Brett Martin was a woman of a particular class, a particular race, and a particular religion. Her class, race, and religion do not diminish her accomplishments, but that does not mean that these aspects of her identity are not equally significant particularly in terms of the range of women to whom her accomplishments did not extend.

While our obsession with Clara Brett Martin, as the “first woman lawyer” has now forced feminists engaged with law to confront the shocking discovery of her anti-semitism, it is necessary that we move beyond Clara Brett Martin as our point of focus. Jewishness with religion has opened up the possibility of assimilation into the dominant culture by repudiating one’s religion and downplaying one’s Jewish features — a process encouraged, and at different historical moments, enforced by the anti-semitism of the dominant culture. Many Ashkenází Jews, including ourselves, can pass as white, or more appropriately as White Anglo-Saxon Protestants, and as such, are afforded the privileges of the hegemonic culture of white supremacy. However, other Jews, including white-skinned Ashkenazi Jews are not assimilated, and do not pass. Jews with more explicitly “Jewish features” (a product of ethnic differences and anti-semitic constructions of otherness) are not afforded the same privileges in relation to the hegemonic culture. This is not to say that such Jews are located in the same position as people of colour. It is only to say that the relationship of the Jewish people to white supremacy is complicated.

58. Nor are we saying that any of these identities are mutually exclusive; Sephardic and most Mizrahi Jews are Jews of colour. See for example, Rachel Wahba, “Some of Us are Arabic”, in Beck, ed., Nice Jewish Girls.
of departure for feminist discussions of anti-semitism. Rather than focusing attention on the perspectives of those women who have been complicitous in anti-semitism, we need to focus on women who have suffered at its hands. We must begin to explore and challenge anti-semitic ideologies and actions — in particular, those which impact on Jewish women. We cannot continue to focus attention on the question of whether it is anti-semitic to continue to defend the accomplishments of Clara Brett Martin. This question is not trivial. But it is not the only question that we must ask ourselves as feminists. Rather than continue to frame the issue in terms of the present implications of the past anti-semitism of an individual woman, we must interrogate the history and present manifestations of anti-semitism and investigate its more systemic, institutional, and ideological aspects.
Lynne Pearlman responds to articles by Constance Backhouse and Lita-Rose Betcherman in this issue of the Journal. Pearlman first situates herself in terms of development of her own antisemitism consciousness as a Jewish lesbian feminist. After describing her experience growing up Jewish in a small Ontario town, Pearlman discusses her own reactions to hearing the news of Clara Brett Martin's antisemitic letter. Pearlman then moves to a direct response and critique of the articles. Her purpose in this piece is to provide information and analysis of antisemitism, and suggestions about the ways in which we can build an inclusive community of women from all backgrounds.

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