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**Appendix B**  
**To**  
***CIII-TV (Global Television) re Confrontation at Concordia***  
**(CBSC Decision 02/03-1340, -1368, -1514 and -1530, April 26, 2004)**

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**I. The Complaints**

**Complaint file C02/03-1340**

Initial complaint:

The CRTC forwarded the following complaint to the CBSC on May 25, 2003:

Company Name: Canadian Muslim Forum  
Message:  
Confrontation @Concordia  
Presented on Global TV Friday May 9, 2003 at 7:00 PM  
By: Martin Himel

As the videotape shows in the program, we have observed the following:

1. Biased presentation of Jewish relations with Muslim and Arab students on Concordia university campus:
  - a. The TV program has presented Hillel, a pro-Zionist Jewish student association, as a cultural group, while known to campaign for recruitment for IDF (Israeli Defense Force) on the campus.
  - b. The TV program has presented the student demonstration against Mr. Netanyahu's visit to Concordia as a breach of the principle of freedom of speech, while Hillel, sided [*sic*] by the Rector Dr. Lowy (known for his Zionist allegiance), has opted to violate freedom of speech by banning entrance to students with opposing views to Mr. Netanyahu's political views.
  - c. Global TV's program has chosen to keep silent about the outcome of the case defended in court by the Canadian Jewish Congress on behalf of Hillel.
  - d. The TV program has presented excerpts of interviews or speeches with four pro-Israeli and anti-Arab speakers:
    - i. Dr. Fredric Lowy, Concordia Rector, admitted to being a Zionist.
    - ii. Mr. Tom Hecht; former Concordia governor, speaking about the Nazi era and linking it to what he sees it as anti-Jewish sentiments in Concordia.
    - iii. Mr Benjamin Netanyahu (Former Israeli foreign minister and prime minister) speech was against Arab and Muslim and linking Concordia students' activism to terrorism.
    - iv. Mr. Daniel Pipe; a well known anti-Islam and anti-Arab speaker in North America, attempting to blame the multiethnic population of Concordia as a threat to Canadian values.
2. Anti-Semitic accusations against Quebec and groups of citizens:
  - a. The TV program has accused Quebec's anti-war movement "Échec à la Guerre", coalition of 200 different local Quebec organizations, of anti-Semitism.

- b. The TV program has accused Concordia Student Association (CSU) of being anti-Bush and anti-war as if it is a crime.
  - c. The TV program has launched a smearing campaign and accused the Muslim Student Association (MSA) of having links to terrorist groups while ignoring to invite the MSA to present its point of view.
  - d. The TV program has attacked Jewish groups who hold opposing political views to Israel (ie, Jewish alliance against occupation) and tried to confuse Israel with Judaism to the disagreement of several Jewish groups who were denied the opportunity to present their point of view.
3. Hate propaganda and racism against Muslim Arabs in general and Palestinians in particular:
- a. The TV program has accused Arabs of failing Oslo, and presented Arabs and Muslims as responsible for spreading hate propaganda and supporting terrorist organization (in his interview with a Jewish magazine, Dr. Lowy said the same thing).
  - b. The TV program has manipulated the history of the Middle East by presenting the creation of Israel while omitting the violation of the human and political rights of the Palestinians to [sic] their homeland.
  - c. The TV program has focused on cases of discrimination against Arab Jews in Arab Countries without presenting anything about the other point of view where there are many Arab Jews enjoy living [sic] in their home land Arabic countries up to date.
4. Covering-up the administration's mishandling of the student conflict on the campus:

The TV program has presented:

- a. Dr. Lowy refusing to investigate the discrimination in Concordia with no valid reason as if it doesn't exist.
- b. The problem of Concordia as if it is a problem of one or two students.

Consequently, the Canadian Muslim Forum (CMF) considers the above-mentioned Global TV program (Global TV is a station owned by Mr. Israel Asper who is known for diffusing hate propaganda against Canadian Muslims and Arabs) a clear and outrageous exercise of hate propaganda against Arabs and Muslims, and as a result we demand a full investigation of the program and the practices of this media group.

### Broadcaster's Response:

The broadcaster responded to the complainant on June 16, 2003 with the following:

Dear Mr. [...],

This letter is written in response to the email that you sent to the Canadian Broadcast Standards Council on May 25, 2003 in reference to our documentary Confrontation at Concordia.

Global Television considers audience responses to our programming as extremely important, and we thank you for your opinions regarding the documentary.

As you are aware, under the *Broadcasting Act*, broadcasters, including Global Television are required to provide a broad spectrum of information and entertainment programming for "men, women and children of all ages, interests and tastes". Television programming is required to be diverse and appeal to a wide variety of audiences. What one viewer might consider an interesting or amusing program might lead another to turn the channel.

In the documentary *Confrontation at Concordia*, the issue is not about who is right and who is wrong about the events that are portrayed in the film. It is clear that each side has grievances, each side has pain, and each side has its arguments. What is at the core of the documentary is how the students chose to express their arguments - with intolerance, violence and disrespect towards the principles of free speech and meaningful debate. By exploring the students' actions, the documentary intends to point the way towards a more constructive atmosphere in which to air their grievances.

In a larger context, what is most important to us as a broadcaster, is a recognition that healthy controversy is essential to the maintenance of democratic institutions. Our responsibility as programmers is to deliver news, opinion, comment and editorial views on all issues including those that are controversial in nature. We feel strongly that we accomplish this objective by providing full, fair and proper presentation of such issues within the broader spectrum of our programming schedule.

We value and respect the fact that you have an interest in our programming and that you were thoughtful enough to let us know your reaction. We are sensitive to the concerns and beliefs of our viewing community. Our purpose is to provide informative programming, to entertain, and not to offend our viewers. We will therefore give full consideration to your comments and make sure that we apprise the producer of your opinions as well.

Sincerely,  
*signed*  
Global News

The CBSC received a Ruling Request Form from this complainant on June 23.

### **Complaint file 02/03 1368**

#### **Initial complaints**

A complaint dated May 29, 2003 was sent to the CBSC by the law firm *Melançon, Marceau, Grenier et Sciortino* representing a number of complainants mentioned in the following letter:

Melançon, Marceau, Grenier et Sciortino

Montréal, le 29 mai 2003 (PAR TELECOPIEUR)

Conseil canadien des normes de la radiotélévision  
C.P. 3265, Succursale D

Ottawa (Ontario) KIP 6H8

Madame,  
Monsieur,

Nous représentons les personnes suivantes :

- Madame Sabine Friesinger, présidente de Concordia Student Union;
- Concordia Student Union, association d'étudiants, dûment reconnue pour représenter les étudiants non diplômés de l'Université Concordia;
- Monsieur Leith Marouf, étudiant à l'Université Concordia et membre de S.P.H.R.;
- Monsieur Samer Elatrash, étudiant à l'université Concordia et membre de S.P.H.R.;
- S.P.H.R., Solidarity for Palestinian Human Rights, association oeuvrant à l'Université Concordia.

Global T.V., ayant une licence émise par les autorités compétentes, a produit un « documentaire » appelé « Confrontation at Concordia » transmis sur les ondes de Global T.V. le ou vers le 9 mai 2003, à 21H00, selon la connaissance de nos clients.

Ce « documentaire » est le produit final d'enregistrements, poursuivis pendant des dizaines et des dizaines d'heures, auxquels nos clients ont collaboré à titre d'invités.

Nos clients ont accepté d'y participer sous les représentations, qui se sont révélées fausses, de produire un documentaire sur les conflits entre étudiants à l'Université Concordia.

Ce « documentaire » peut être assimilé de la propagande sioniste, un espèce de commercial qui dénigre la Concordia Student Union, le Solidarity for Palestinian Human Rights, leurs dirigeants et membres.

Ce document fait exprimer à nos clients, des opinions qui ne sont pas les leurs et met sur leur bouche des mots qu'ils n'ont jamais prononcés.

Le narrateur, malicieusement, dit que la présidente de Concordia Student Union est anti-Israel alors que l'on évite de faire entendre ses commentaires qui expriment des positions qui sont celles votées par l'O.N.U. et appuyées par les représentants politiques canadiens.

Le document traite nos clients de terroristes et pousse l'ignominie jusqu'à dire que M. Samer Elatrash et le S.P.H.R. ont besoin du support de la Concordia

Student Union de la même façon que les palestiniens qui se font exploser dans les lieux publics en Israël ont besoin de Saddam Hussein.

Il ne faut pas oublier que Global T.V. fait partie du consortium CanWest, les propriétaires duquel ont imposé à tous les journaux qu'ils possèdent des éditoriaux nationaux, écrits à Winnipeg, enlevant ainsi aux équipes éditoriales locales l'autonomie et l'indépendance. Ils ont de plus, donné directives de ne pas publier des articles critiquant la politique israélienne et les actions du gouvernement présidé par monsieur Ariel Sharon.

Le supposé documentaire ne démontre aucun respect pour les personnes ayant accepté d'y participer, constitue une diffamation malicieuse, attise la haine contre toute personne se déclarant en faveur des droits du peuple palestinien et plus particulièrement vis-à-vis nos clients. Notre cliente, madame Sabine Friesinger, a été engueulée, royalement, par une serveuse de restaurant qui avait vu le « documentaire ». M. Samer Elatrash a été invité par une personne, sur un autobus, à retourner dans son pays. Evidemment, ce téléspectateur ne pouvait pas imaginer, après avoir vu le « documentaire » et avoir écouté les commentaires du narrateur, que le pays de monsieur Elatrash puisse être le Canada.

Le dit « documentaire » ne démontre aucun équilibre et objectivité dans l'analyse des conflits, entre étudiants, sur le Campus universitaire. Les étudiants d'origine juive sont les victimes d'agressions et de racisme, les autres sont les agresseurs qui leur enlèvent le droit de parole et les maltraitent comme faisaient les nazistes en Allemagne. Voilà le thème central et la thèse préconçue. Un simple visionnement de ce documentaire fera comprendre ce qui est ci-haut décrit et même plus.

Il ne s'agit pas d'une simple bavure journalistique, commise de bonne foi, mais d'un plaidoyer diffamatoire, non objectif, raciste, non éthique et irrespectueux des droits de nos clients et du public canadien.

Ce qui est ci-haut reproché n'est qu'une partie de ce qui est reprochable. Nos clients sont disposés à fournir d'autres détails et commentaires, s'ils s'avéraient nécessaires.

Il semble que les enregistrements au complet aient dépassé 100 heures pour un produit final d'environ 45 minutes. Il s'agit d'un collage sciemment construit pour démontrer la thèse de départ des réalisateurs.

Dans ce documentaire, on traite de la venue à Montréal de l'ancien premier ministre d'Israël et de la conférence qui n'a pu avoir lieu à cause de la contestation des étudiants de Concordia. Cet événement est traité comme la preuve de la privation du droit de parole des juifs canadiens et des étudiants d'origine juive à Concordia. Il n'est pas sans intérêt de souligner que la venue au

Canada de l'ancien premier ministre avait été parrainée par Israël Asper, le patron de CanWest.

Nos clients demandent que toute ordonnance soit rendue en accord avec vos règlements et votre mandat, y compris toute ordonnance, décision, recommandation apte à sauvegarder les droits de nos clients et du public canadien.

En espérant le tout conforme, veuillez recevoir nos meilleures salutations.

MELANÇON, MARCEAU, GRENIER et SCIORTINO

Signed

c.c.: Global TV

The complainants' representative law firm followed the initial complaint with another document dated June 3 which contained more detailed analysis, including transcripts of segments from the documentary and further comments:

**Excerpts from "Confrontation at Concordia" and our comments**

**1. Segment: Footage of September 9th window breaking; candidates putting up posters**

*NARRATOR: The election campaign at Montreal's Concordia University always begins with a race. Concordia has been shaken by a ground swell of hatred and prejudice. And that toxic atmosphere has spread to other universities across the continent. What's at stake here is about a lot more than the selection of a new student government. This vote will determine if tolerance and the right to free speech will return to Concordia.*

**Comment:** When taken in context with other statements made by the narrator throughout the documentary, these words set the tone for the documentary's main message: that it is the pro-Palestinian side that has caused the "groundswell of hatred and prejudice" at Concordia, whose "toxic atmosphere has spread to other universities across the continent." By stating that the "vote will determine if tolerance and the right to free speech will return to Concordia", and later on presenting the main candidates as the Palestinian-favoured Clean Slate versus the moderate Evolution slate, the message is clear.

**2. Segment: September 9th, 2002**

*NARRATOR: Tolerance was violently abused last year on campus. An Arab student bullies a Jewish student. Pro-Palestinian student activists are determined to silence a speech. Fists, threats and curses shove Jewish students away from the doors. (Israeli flag being taken and trampled on by one person) The hostile mob rips and tramples on it [the Israeli flag] Unable to reach the lecture hall, Jews challenge the hostility with a song of peace.*

**Comment:** Note that the "hostile mob" in question is really just one individual, who rips the Israeli flag and tramples on it. The crowd behind him is sitting down and looking on.

NARRATOR: *That sparks a barrage of hatred. ("down, down Israel!")*

**Comment:** Although it is correct to show that there was anti-Semitic activity on September 9th, it is unfair that none of the anti-Arab remarks or assaults are shown. It is also unfair to accord the "barrage of hatred" to the entire anti-Netanyahu demonstration, when really acts of anti-Semitism were in the fringe minority. One easy way for this to be cleared would have been to present the protest organizers' point of view on the anti-Jewish activity, which the documentary fails to do. (CAB 6)

*The Concordia student union, the CSU, is anti-Israel, anti-Bush and anti-war in Iraq.*

*The CSU executives were elected out of voter apathy. Less than 20% of the students voted.*

**Comment:** The charge that the Concordia Student Union is anti-Israel is totally fraudulent and unsubstantiated. The current CSU leadership has never taken an official position on the conflict. There is, however, a standing resolution adopted by the CSU in March 2001, passed by a student referendum, which calls on Israel to respect international law and withdraw from the occupied territories, mirroring Canada's stance and relevant UN resolutions. This is a position held by virtually the entire international community save for Israel and the United States (after 1970), and many in Israel, including political parties in the Israel Knesset such as Meretz, Hadash, Balad. This position has been called anti-Israel by proponents of the occupation and settlements, and is not representative of the Israeli public, some of whom refuse to serve in the territories. Some, including most recently Prime Minister Ariel Sharon, argue that it is in Israel's best interests to end the occupation and create a Palestinian state.

The fact that this position can be labeled "anti-Israel" is indicative of the overall level of honesty and integrity displayed by the documentary's producer.

NARRATOR: *Samer Elatrash and his supporters occupy the escalators to block entry to Netanyahu's speech. Samer is a major backer of the CSU.*

**Comment:** This misrepresents the demonstration. The demonstrators represented diverse backgrounds and political leanings, attended due to many reasons not necessarily shared by others, or by Samer. The term "supporters" is inaccurate, and paves the way for attacking the demonstrators through attacking Samer, as well as vilifying Samer due to the actions of some protestors, by labeling them as his "supporters".

NARRATOR: *They abuse and intimidate the students coming to the lecture. The speech is about to take place and Samer is resolved to stop it. So he challenges the police. (shot of protesters moving down the escalators and being beaten by the police). Laced in the flags Saddam Hussein's Iraq, Samer takes pride in denying Netanyahu and the Jewish students their right to free expression. (Samer shown giving speech on top of van)*

**Comment:** The narrator fails to mention that Samer is in fact "laced" in Palestinian, Iraqi and Canadian flags, as well as a bevy of signs and banners. This is the first of the attempts to insinuate the fraudulent charge that both the

SPHR and the CSU support Saddam Hussein. An Iraqi flag is no more symbol of support for Saddam Hussein than a Canadian flag is for Jean Chrétien. (R1, C7)

Further, the footage is shown out of chronological order. The speech occurred at the *start* of the protest, where Samer was addressing the crowd about Netanyahu's record. He was not "taking pride in denying Jewish students free speech" -- nor has he ever.

YONI PETEL: *Netanyahu is not a war criminal. Nothing that he has ever did [sic] has come close to a war crime. That's an excuse. The real point, the real reason why Samer did what he did is because he couldn't bear for people to hear what Netanyahu had to say and so they had to shut him up.*

**Comment:** Here, Yoni offers his opinion on why Samer participated in the demonstration, speculating of his motivations and intentions. Yet Samer is given no chance to respond and offer his own reasons. Nor is Samer or anyone else offered the chance, before or after, to refute Yoni's claim that Netanyahu is indeed a war crime [sic]. This despite the fact that the producer had hours of interview footage with Samer where he clearly stated his case against Netanyahu and his reasons for participating.

*[cut to interview with Netanyahu]*

NARRATOR: *The Concordia issue: You were there, they tried to stop your speech, they tried to stop you from speaking, they rioted. How do you feel about that?*

BENJAMIN NETANYAHU: *I've encountered it in only two places. In Concordia and Berkeley, these "bastions" of free speech and free thought that cannot tolerate anyone who deviates from their orthodoxies. In fact what you have is an implantation in North America of the same unforgiving fanaticism that says we will not allow the engagement of a contest of ideas; we will not allow a free market of ideas. Which is precisely a microcosm of the problem that we have in these societies that spawn and produce terrorism. They rigidly control what their people hear and see so that they can control what they think and feel. And this is the essence of the problem. If the real solution to fanaticism is ventilation, the oration of various ideas, then you got a whiff of the underlying root cause of terrorism in Concordia. That is the unwillingness to have a free exchange of ideas. The root cause of terrorism is totalitarianism. Any physical attack pogrom massacre[.] This was always preceded by a vilification of [sic] to prepare the ground for the destruction; a campaign of vilification and slander. The wellspring of this poison.*

**Comment:** Again, no opportunity is provided for anyone on the pro-Palestinian side to refute these charges. It is also illuminating that Himmel takes it for granted that the protesters "rioted", when the protesters would offer a different interpretation: that they peacefully occupied the escalators until they reacted to brutality perpetrated by the police.

## COMMERCIAL BREAK

### 3. Segment: Post-Sept. 9th and "the campaign of intimidation"

NARRATOR: *Months following the Netanyahu visit the situation went from bad to worse. Pro-Palestinian activists and students on the council generated a campaign of intimidation in an effort to ban Jewish student movements. Throughout Europe, the United States and Canada, there is an effort to de legitimize Israel as a Jewish state on campuses.*

**Comment:** The charge that "Pro-Palestinian activists and students on the council [i.e. the CSU] generated a campaign of intimidation in an effort ban Jewish movements" is completely without merit. Tellingly, the narrator chooses to offer no proof of this ludicrous charge.

NARRATOR: *What had transpired on campus mirrors events in the Middle East. Palestinian and Israeli leaders had embraced the Oslo peace process. It envisioned a two state solution: a Palestinian Arab state alongside the Jewish state of Israel. That process collapsed in October 2000. (cut to suicide bombing aftermath) The Palestinians launched their intifada, their uprising, a ruthless wave of terror suicide bombings random shootings targeted primarily Israeli civilians.*

**Comment:** The narrator's statements grossly misrepresent the breakdown of the peace process, with the message that Israel was willing to make peace, and that the Palestinians refused and launched a campaign of terror and intimidation against innocents. The evidence points to the contrary. As for the intifada, it broke out following the provocative visit of Ariel Sharon to the Al-Aqsa mosque, one of the Muslim religion's holiest sites, in late September 2000. The unrest actually began the day after, when Israeli troops shot and killed several unarmed Palestinian demonstrators. In the first two months of the Palestinian's "ruthless wave of terror", 28 Israelis lost their lives, over half of them in the month of November. By contrast, in the same period 233 Palestinians, 73 of them youth under the age of 18 years old, were killed by Israeli forces, a ratio of over 8 to 1 (all figures according to B'Tselem, the Israeli human rights organization, [www.btselem.org](http://www.btselem.org), see "Statistics").

As for the peace process, a grossly misleading map is shown to attempt to reinforce the narrator's argument that its collapse can be blamed on the Palestinians. The map shows a final settlement of Israel existing within its pre June 1967 borders and a Palestine within the West Bank and Gaza. Yet nothing to this [sic] was ever offered by the Israelis, who made clear that the final settlement would be made on their terms, including the retention of large illegal settlement blocs that have effectively divided the territories into separate cantons. It is thus why one would never be able to find the depicted map in any official or unofficial form, simply because it has never been presented. To give an indication as to why, note that during the Oslo years from September 1993 to July 2000, settlement activity in the Occupied Territories accelerated, with the settler population actually doubling in size. Thus the program presents a fraudulent interpretation of the roots of the current armed conflict.

NARRATOR: *To stop this unprecedented campaign of terror, Israel launched assassination strikes. They occupied the West Bank. They clamped down curfews. It claimed the lives of many Palestinians. And with the launching of the uprising, anti Israel activists, backed by student council launched their own offensive against Hillel, the Jewish student movement in Concordia.*

**Comment:** As explained to the narrator by Samer in un-broadcast interviews, the SPHR's aim is not to target student groups like Hillel, but to promote

understanding and awareness of Israeli human rights abuses in the occupied territories. SPHR has organized lectures on campus, organized rallies, documentary showings and media awareness efforts. There has not been a single lecture, pamphlet or campaign by SPHR that has been directed at or even made more than minimal mention of Hillel. By equating SPHR's human rights work with "an offensive against Hillel", the narrator skirts around the issues addressed by SPHR, attempts to smear their work as anti-Semitic, in line with his biased version of the events in the Middle East, which attempt to establish Palestinian aggression as the root cause of the conflict.

**NARRATOR:** *Samer Elatrash is the brains behind the offensive. He leads Solidarity for Palestinian Human Rights, SPHR.*

**Comment:** Samer does not lead the SPHR. At the time of the interview he was VP Media relations for the Concordia branch of SPHR, a national organization that has ten branches in different campuses across the country. Samer has never identified himself as a leader, or the brains behind anything. This is a fabrication that has no basis in any facts or anything Samer mentioned to the narrator at any point during the interviews.

**NARRATOR:** *For Samer, sabotaging Netanyahu's speech was a key tactical victory. On one of the walls in Samer's office is a map. It outlines what used to be Arab villages in what is now Israel. In 1948, five Arab armies invaded the Jewish state before it was born Samer and Arabs call that Al-Nakba the catastrophe.*

**Comment:** Again, Samer is attributed to a position that he does not vocalize in any form seeing "sabotaging Netanyahu's speech [as] a key tactical victory." The narrator's interpretation of the 1948 war is grossly misleading, and, again, no one is offered the opportunity to challenge it. In this regard, it's worth noting that by the time the Arab armies attacked in May 1948, over half of the 800,000 Palestinian refugees of that war had already fled or had been expelled from their homes. *Samer is clear-cut in his aim: the return of the refugees and the destruction of Israel as a Jewish state.*

**Comment:** Once again, Samer's "clear-cut aim" does not come from his mouth, but by what the narrator attributes to him.

**SAMER ELATRASH:** *I think that every Palestinian who wishes to return to the home or to the area or to the territories where he or she used to live or was expelled by force, um, should return. I think that what we have now with the collapse and failure of the Oslo peace process and the seeming, I think, impossibility of creating the two state solution, one way of resolving the conflict is to strive for a secular state, create a state which is built with the simple premise of respect for human rights, respect for culture, religion, under the framework of a representative government.*

**Comment:** This is quoted out of context. The line on the refugees paraphrases UN General Assembly Resolution 194, which affirms the right of Palestinian refugees to the homes from they fled or were expelled. Resolution 194 was subsequently added into the preamble of the UN Resolution recognizing Israel's sovereignty, making Israel's respect for it a precondition of acceptance into the UN. The quote also comes after Samer had expressed support for a two-state solution, but pointed out the seeming impossibility for this to occur given the ever increasing number of illegal Israel settlements in the West Bank and Gaza.

During the Oslo "peace process", Israel sought to hold on to and expand most of these settlements, making the creation of a viable Palestinian state all but impossible. Samer expressed his doubts that these settlements could be removed, as Israeli politicians would be too scared to challenge one of the largest voting blocks in Israel. As such, he proposes another scenario, a one-state solution based on principles of democracy and equality for all, regardless of race or religion. No effort is made here to contextualize his statements.

YONI PETEL: *You have what Samer Elatrash and his supporters [are] saying. That is denying thousands of years of Jewish history; it's racism within itself. There is an impossibility of the Arabs denying the existence of Israel to recognize the legitimacy of Israel. There is archeological evidence. It's Israel. Nobody mentions Jewish refugees. The problem is the Arabs don't want it.*

**Comment:** Again, neither Samer nor anyone else is given the chance to respond to this serious charge.

NARRATOR: *Samer has been suspended for three years for his role of stopping the lecture. He has appealed the decision and can attend classes. Samer advances his cause through his supporters (shows Laith Marouf mobilizing for a Concordia Student Union General Assembly)*

**Comment:** This gives the impression that Samer ordered Laith to distribute the pamphlets. Once again, Samer is designated as a leader and Laith as supporter. In reality, Samer had nothing with organizing or advertising the CSU's General Assembly. (R3)

NARRATOR: *Laith's implicit message is that attacking Saddam Hussein's regime is racism.*

**Comment:** This is total innuendo, an obviously ridiculous message with the effect of portraying Samer and Laith as supporters and apologists for Saddam Hussein. The General assembly had two questions on the table, each completely independent of the other: The first calling for an independent and public inquiry into racism and discrimination at Concordia University, the second endorsing a student strike against the pending war on Iraq. The documentary makes no effort to explain this.

NARRATOR: *Security tells [them] that their table is not booked for the day. Always expecting trouble, another security agent tapes the scene. (Debate ensues between security and Laith & Samer) Intimidated, security walks away.*

LAITH MAROUF: *This is student space, we're not in Israel!*

NARRATOR: *Hillel activists are consistently exposed to this verbal barrage. The CSU has banned Hillel. Unlike the Palestinian student organization, Hillel receives no share from the student council budget.*

**Comment:** The Concordia Student Union never banned Concordia Hillel. On December 2nd 2002, the CSU's Council of Representatives (the union's de-facto Board of Governors) suspended Hillel for passing out a recruitment flyer for the Mahal program, which enlists international Jewish youth in the Israeli army (IDF).

The advertised program includes 4.5 months of training in "handling weapons, close combat, combat drills, disguise, etc." When the Hillel president refused to apologize to the council for the flyer, the council voted to suspend Hillel until they apologize for the flyer and/or until the university administration intervened to make a judgment as to whether the suspension was fair (at heart was the question of whether or not the flyer violated Canada's Foreign Enlistment Act). A few days later, the suspension was amended to allow Hillel to table and hold events on campus, but to withhold their funding until they signed a pledge against racism and military -- a requirement that would be placed on *all* other CSU-funded clubs as well. It is disingenuous, to say the least, to call this course of action a "ban."

YONI PETEL: *We can't even put up posters without them being defaced, can't go to the bathroom without seeing a swastika. Jews at Concordia will not be pushed out.*

**Comment:** At this point, it's important to note that Yoni Petel *is not even a Concordia student*. Who is he to speak for Concordia Hillel students in saying that "we can't even put up posters without them being defaced, can't go to the bathroom without seeing a swastika"? Tellingly, no Concordia Hillel student is interviewed backing this up, nor is there any footage of Concordia's hundreds of bathrooms of the supposed swastikas. This is innuendo allowed to pass unchallenged and unsubstantiated.

## COMMERCIAL BREAK

### 4. Segment: The CSU and Hillel

NARRATOR: *Sabine and the CSU executive are anti-Israel and anti-Bush. The CSU banned Hillel. It was the first time that Hillel was banned since Nazi-dominated Austria banned the Jewish movement in the 1930's. The student council banned Hillel because it was asking students to volunteer for the Israeli army. The RCMP investigated and threw out the complaint.*

**Comment:** Again, the unfair charges that the CSU is "anti-Israel" and that it "banned" Concordia Hillel are made, see above for our commentary on these issues. The reference to Nazi-dominated Austria can be interpreted as an attempt to smear the CSU as Nazis and anti-Semites. Given the facts, this is not just a gross insult to the CSU but to the memory of all victims of the Holocaust.

YONI PETEL: *[compares the SAMA incident to the Hillel suspension to argue for CSU hypocrisy] On SAMA's website they had links to terrorist websites.*

**Comment:** Again, no attempt is made to hear the CSU's side of the story. The facts of the SAMA affair are clear: In August 2002, the website for Concordia student club Students for Muslim Awareness (SAMA) was found to have links to a Holocaust-denying website. After SAMA apologized to the Concordia Student Union and promised to remove the offending material from its website, the Council passed a motion condemning SAMA, and the matter was closed.

RECTOR FREDERICK LOWY: *[In discussing the case of Sobia Virk, a Muslim student on Concordia's Board of Governors]. To impose those beliefs is not in our tradition or anyone's tradition.*

**Comment:** The woman in question, Sobia Virk, is not consulted. A CSU official, David Bernans, is shown singing a song about the case, but this does not represent a fair balance.

YONI PETEL: *Why Samer is an anti-Semite. I think he doesn't have respect for the Jews around him. There, the guy, he can point to say that he is not an anti Semite. It's just Zionists that he hates and not Jews.*

This is the only indirect reference to the many Jewish students that do not share the Hillel point of view on the state of Israel. Samer, nor any of the Jewish students in question, are offered the chance to [comment on] Yoni's opinion on Samer's alleged lack of respect for and usage of "the Jews around him."

NARRATOR: *The CSU has banned Hillel, but it can't ban the central role that Hillel plays in Jewish life. Despite what Samer might say, according to recent survey, 90% of Jews identify their Jewishness as being linked to Israel. When Samer and other activists say that they want Israel wiped out, the vast majority of Jews take that as being anti-semitic.*

Once again, Samer is attributed to holding a point of view that he does not express himself. The narrator is once again speaking for him, ascribing to him the extremely defamatory charge that he wants to see "Israel wiped out."

PETEL: *Hillel is not a political organization. We find them places to pray, for food. SPHR their only goal is to throw mud at Israel*

THOMAS HECHT: *I was the object of their hatred. A hatred that expresses itself with placards; with a venom that I have not seen on the streets since the horrible days of Nazi occupation. Since I was in Nazi occupied Germany. What happened on the 9th was a dark day for Concordia. I think that the university will have to suffer the consequences of this. It will not come; the change will not come from one day to another; the freedom of speech. The perception of Concordia will be that of any institution where freedom of speech can be freely expressed. The way these thugs behaved was not any better than the people who were condemned for such behavior in 1939. (cut to an image of Kristallnacht, the November 1938 Nazi campaign of murder and terror against Jews.)*

*When I tried to enter they approached me with a masked person. They had a mask, I don't know a shador, a hood, I don't know, I couldn't tell whether it was man or a woman and hit me in the groin. They spat on me I felt as though I was in Czechoslovakia, where they also spat on me because I was a Jew. But that was Yugoslavia under German occupation, I was experiencing something that I thought would never happen again. That I was guilty of something because I was Jewish. I was guilty of wanting to see a speech.*

**Comment:** What Hecht describes as experiencing on September 9th is certainly anti-Semitism. But to compare what occurred that day with the actions of the Nazis is ridiculous. When a picture of the broken window on Sept. 9th fades into the broken window of a Jewish home or establishment during Kristallnacht, a very clear comparison is being made of Sept. 9th to a vicious, murderous campaign of a state terrorist force against innocent victims. That is harshly unfair and injurious to the pro-Palestinians who are being compared to Nazis, and is also an incredible insult to the victims of the Holocaust. No matter what one's feeling about the broken window on September 9th, it is a fact that the window

was broken when no Jews were around -- except for those Jews who were among the crowd that was being beaten by the police. Regardless, to compare that act with Nazi terror campaign is so inappropriate that no commentary can do it justice.

And not detract [*sic*] from what Hecht suffered on that day, but it's also worth noting that he was one of the organizers of the Netanyahu event. Does the fact that it was thwarted possibly put him in a position to be all the more biased against the crowd that shut it down? Should this possible conflict of interest have been mentioned by the narrator?

## COMMERCIAL BREAK

### 5. Segment - anti-war demonstration

NARRATOR: *Following the assembly on racism, Sabine and her followers join a large protest against a war in Iraq, many also support the violent offensive against Israel. The demonstration takes place in the heart of the campus. The student council budget is 1.2 million dollars. That's a lot of power for a student council. The administration has demanded an audit of the student union.*

**Comment:** No evidence is offered to support the claim that the anti-war protesters support the "violent offensive against Israel." This is yet another fraudulent and libelous claim.

NARRATOR: *Iraqi flags surround Palestine here. One of the greatest supporters of the Palestinian uprising is Saddam Hussein. He provides up to \$20,000 for every suicide bomber... And just as the Intifada needs Iraqi cash, Samer needs the CSU support for his cause. Lowy has serious concerns about how this money is spent.*

**Comment:** The narrator compares the Saddam Hussein-Palestinian terrorist relationship to that of Samer and the CSU, and implies that the CSU mismanages its funds to support the SPHR.

NARRATOR: *The elections are now just a few days away. Samer's choice, the clean slate party. Evolution wants to bring some peace to the campus.*

**Comment:** Again, Samer is ascribed a position that he does not articulate. And by saying that the party he supposedly does not favour, Evolution, "wants to bring some peace to the campus," it is thus implied that Samer does not want to bring any peace to campus.

LOWY: *What is new here is the degree of vehemence, even to the point of violence, what we had last September, around the Arab Israeli problem.*

### 6. Segment: Israel Day on Campus Daniel Pipes

[Daniel Pipes talk at McGill, shows Muslims for Peace picket outside]:

NARRATOR: *What angers the protesters is his contention that there are radical Muslim forces like al-Qaeda who have declared war against the west.*

**Comment:** Yet no protester is quoted as saying so. Once again, a pro-Palestinian viewpoint has been presented by the narrator's own ludicrous inventions. Had a genuine protester of Daniel Pipes been allowed to express his/her point of view, they might have pointed out that their opposition rests on the fact that people like Mr. Pipes attempt to exploit the terrorist atrocities of 9/11 to justify waging a campaign of war and hatred against Muslim and Arabs worldwide. They would object because Mr. Pipes continuously attempts to associate all Arabs and Muslims with a shameful terrorist group like Al-Qaeda.

## COMMERCIAL BREAK

*The Palestinian and Hillel table co-exist side by side. An Arab student can't take it.*

**Comment:** The Arab student in question is Laith Marouf, who curiously has already been identified by name in an earlier segment of the documentary. So why now refer to him solely as an "Arab student"? That aside, there is no proof offered that Laith "couldn't take" Hillel's Israel day. In reality, he was reacting to the arguments of one individual who was addressing a Hillel-organized gathering. The individual in question argued that Christianity and Judaism are essentially one entity while Islam is in confrontation with both. In the course of his argument the man claimed that Muhammed is a fake prophet who called Christian and Jewish prophets liars, and that Islam is nothing more than a collection of stolen stories from the Torah and the Bible put in a blender to have an instant religion. The *Global* camera filmed this presentation, and thus knew full well what Laith was reacting to. By stating that he was reacting to Hillel's activities, and not an argument with an individual, is a gross misrepresentation.

*LOWY: It is out of keeping with Canada's character it threatens something that goes within the core of what it means to be Canadian - that is tolerance for other views. It's getting a lot worse. It has to stop.*

**Comment:** As it follows Laith's tirade, the "It" to which Lowy refers to as being "out of keeping with Canada's behaviour" is undoubtedly a reference to the "Arab student's behaviour."

## 7. Segment: Montreal Anti-War Demo

NARRATOR: *Concordia activists are at the demo.*

**Comment:** Laith is the only "CSU activist" shown. An anti-Semitic sign of an American masturbating a grossly stereotypical Jewish character is shown. Laith, nor any other "CSU activists" are anywhere near. Yet Laith is immediately quoted as saying:

*It was exactly this type of fascist slander that gave rise [to a] tactic of slander that was used by the Nazis that worked so well in dehumanizing Jews. That led to the Holocaust. Where will this hatred go (with shot of anti war demo). . .*

**Comment:** Thus, Laith is made to look as if he supports the cartoon and its anti-Semitic message.

**Violations - Summary**

This trail of omissions, distortions and innuendo consistently violates the relevant clauses of the CAB and RTNDA codes of ethics throughout the program

**Conclusion**

**APPENDIX I: Approximate calculation of air time allotted to pro-Palestinians and pro-Israel/anti-Palestinians**

<b>Pro-Palestinians Israel</b>	<b>anti-Palestinin/pro- Israel</b>
<b>Samer Elatrash: 96 seconds</b>	<b>Benjamin Netanyahu: 63 seconds</b>
<b>Laith Marouf: 14 seconds</b>	<b>Frederick Lowy: 184 seconds</b>
<b>Allison Moore: 20 seconds</b>	<b>BB Netanyahu: 70 seconds</b>
<b>Muslim Student: 10 seconds</b>	<b>Yoni Petel: 208 seconds</b>
<b>Sabine Friesinger: 46 seconds</b>	<b>Natalie Pormaleau: 25 seconds</b>
	<b>Thomas Hecht: 107 seconds</b>

**Note:** These figures denote only the amount of time allotted to interview subjects. The figures do not include the narrator's own statements and remarks about the Palestinian side, which include the following:

"Ground swell of hatred and prejudice"; "toxic atmosphere"; "tolerance was violently abused last year on campus"; "fists threats and curses shove Jewish students away from the doors"; "the hostile mob rips and tramples on it"; "Jews challenge the hostility with a song of peace"; "barrage of hatred"; "Petel injects a voice of reason"; "laced in the flags of Saddam Hussein's Iraq"; "pro-Palestinian activists and students on council generated a campaign of intimidation to ban Jewish student movements"; "Throughout Europe, the US and Canada, there is an effort to de-legitimize Israel as a Jewish state on campuses"; "Palestinians launched their Intifada, their uprising, a ruthless wave of terror suicide bombings blah blah Israel responded yadayada poopoo"; "Anti Israel activists, backed by

student council launched their own offensive against Hillel, the Jewish student movement on campus."; "Samer clear cut in his aims, the destruction of Israel as a Jewish state"; "Samer and Arabs"; "advances his cause"; "CSU has banned Hillel"; "Samer and other activists say that they want Israel wiped out" ;"an Arab student can't take it"; "where will this hatred go?"

On June 17, the representatives of the complainants sent in a signed Ruling Request Form.

### Broadcaster's Response

The broadcaster responded with the following letter on June 20:

This letter is written in response to your faxed letter (May 29, 2003) to the Canadian Broadcast Standards Council in reference to the documentary *Confrontation at Concordia*.

Global Television considers audience feedback to our programming to be important and, we thank you for your opinions regarding the program.

As you are aware, under the *Broadcasting Act*, broadcasters, including Global Television are required to provide [sic] a broad spectrum of information and entertainment programming for "men, women and children of all ages, interests and tastes." Television programming is required to be diverse and to appeal to a wide variety of audiences. What one viewer may consider to be a satisfactory reflection of an event or sequence of events might be considered by another viewer to be misrepresentative of that event or events.

We recognize, respect and accept the complaints made by your several clients regarding the documentary, *Confrontation at Concordia*. However, the issue is not of "right" and "wrong" perceptions of the events portrayed in the film. It is clear that both sides have grievances, each side has pain, arguments and anger. Each side claims justice as its objective.

The core issue of this point-of-view documentary involves the students' manner of expressing these arguments and the unfortunate intolerance, violence and disrespect of principles of free speech and respectful debate. The documentary also strived to make clear that much of the blame for this chaotic period in Concordia University's history is shared by an apathetic student body – which allowed the election of a radical student council – and a less competent university administration which failed to respond to the initial manifestations of intolerance and intimidation.

In a larger context, what is important to Global Television as a broadcaster, is the recognition of healthy controversy as essential in the maintenance of democratic institutions. Our responsibility as programmers is to deliver news, opinion, comment and editorial viewpoints on all issues including those that are controversial in nature. We believe strongly that we accomplish this objective by providing full, fair and balanced presentation of such issues across the broader spectrum of our programming schedule.

We strongly disagree with your suggestion that the program was malicious, defamatory, or unethical.

That said, we value and respect the fact that those whom you represent have an interest in our programming and, that they made an effort to share their views with us. We will therefore give full consideration to your comments and ensure they are with the producer of Confrontation at Concordia.

Yours sincerely,  
*Signed*  
Global TV News.

### Additional correspondence

The complainants' representative responded to the broadcaster on June 27 with the following text received by the CBSC on July 4:

Dear Mr. [...]:

Our clients were informed of your response to our letter (May 29, 2003) to the Canadian Broadcast Standards Council in reference to a so-called documentary, "Confrontation at Concordia".

They consider your explanation to be unsatisfactory. In fact, you are only defending the said documentary. As an example: How could you justify the passage in the said documentary where Ms. Friesinger says that Concordia Student Union Policy on the Middle East is in accordance with the United Nations Resolutions, and the narrator qualified Ms. Friesinger and the Concordia Student Union as being anti-Israel? Is this a fair and balanced presentation? Is this not a malicious, diffamatory [*sic*] and unethical way to portray a guest opinion on a specific controversial issue?

Consequently, your response is considered futile by our clients and they are asking, by the present letter, the Canadian Broadcast Standards Council to exercise his power in the reference to the complaint, dated May 29, 2003.

Yours sincerely,  
Melançon, Marceau, Grenier et Sciortino  
Signed

### **Complaint file C0203-1514**

#### Initial Complaint

The CRTC forwarded the following complaint to the CBSC dated July 2, 2003:

Message:  
Name of television station: Global TV  
Date & Time of program: July 2, 2003 10:00 PM (Documentary program about Concordia university)

This program promotes hatred against Palestinians and unfairly shows them [that they] have no rights to live in Palestine. It shows Benjamin Netanyahu as a good man while in fact he was accused in Belgium of war crimes against the Palestinians during his military service. It shows the Palestinians as criminals while ignore [sic] the fact that Israel kills Palestinian kids every day; how come it ignores the Palestinian kid "Mohamed ElDora" who was killed on TV and the whole world watched him die!! I believe this program is very biased and inaccurate and I demand that at least this TV channel gives the same chance to Palestinians to express their point of view.

The complainant submitted a Ruling Request Form on July 24 attached to the following message:

Hello [...],

Thanks for your followup [sic]. I'd like to mention that in your first email to me (received July 2) it says that if I don't receive a response from the broadcaster within 21 days then I have the right to send a complaint form. So based on that I waited until July 23 (21 days) and at that time I didn't receive any responses so I faxed my complaint.

Thanks,

The CBSC's Correspondence Officer replied to the complainant explaining that the broadcaster had asked for an extension on some responses regarding the documentary.

### Broadcaster's Response

The broadcaster responded on August 8 with the following:

August 8, 2003

[name]  
e-mail:[...]

Re: Complaint regarding Confrontation at Concordia CBSC# C02/03-1514

Dear Mr.[...],

Global Television considers audience feedback to our programming to be important and, we thank you for your opinions regarding Confrontation at Concordia.

As you are aware, under the *Broadcasting Act*, broadcasters, including Global Television are required to provide a broad spectrum of information and entertainment programming for "men, women and children of all ages, interests and tastes." Television programming is required to be diverse and to appeal to a wide variety of audiences. What one viewer may consider to be a satisfactory reflection of an event or sequence of events might be considered by another viewer to be misrepresentative of that event or events.

We recognize, respect and accept the complaints made by you and other viewers regarding the documentary, Confrontation at Concordia. However, the issue is not of "right" and "wrong" perceptions of the events portrayed in the film. It is clear that both sides have grievances, each side has pain, arguments and anger. Each side claims justice as its objective.

In a broader context, what is important to Global Television as a broadcaster, is the recognition of healthy controversy as essential in the maintenance of democratic institutions. Our responsibility as programmers is to deliver news, opinion, comment and editorial viewpoint on all issues including those that are controversial in nature. We believe strongly that we accomplish this objective by providing full, fair and balanced presentation of such issues across the broader spectrum of our programming schedule.

That said, we value and respect the points made in your complaint. We will therefore give full consideration to your comments and ensure they are shared with the producer of Confrontation at Concordia.

Yours sincerely,  
*Signed*  
Global Television Network

The complainant submitted a signed Ruling Request Form on August 11.

### **Complaint file C02/03-1530**

#### **Initial Complaint**

Note: The complainant sent several correspondences in which he explained his position before he received the broadcaster's response.

The CRTC forwarded the following complaint to the CBSC on July 4, 2003 which was followed by another dated July 8.

From:[...]  
Sent: July 4, 2003 12:19 PM  
To: procedure@crtc.gc.ca  
Subject: Complaint against Can West Global

I am making a formal complaint against Can West Global Television.

Martin Himel's documentary titled "Confrontation at Concordia" made some derogatory generalizations about Quebec.

I am offended that a Montreal based radio, Anglophone radio station, allowed some of the comments to be made that used one minority to besmirch another.

The fact that majorities use minorities to attack other minorities is divisive. Global CanWest has no business broadcasting this into Quebec.

I complained to four people at Global about this when they aired these comments the first time a few months ago. They did not respond to my complaint. They ignored me. All I asked was for them to phone me.

They then aired this poorly constructed documentary again a few days ago. I am now complaining to the CRTC.

I have discussed this with a famous columnist, who shall remain anonymous. Let's see where this goes.

## MESSAGE #2:

I wonder if Global TV will take the same forever to answer the CBSC as they have me. Also I wonder if the CBSC will make you at the CRTC wait forever.

I dislike disparaging generalizations. Especially mean-spirited ones based on ignorance and sycophancy. The anglophone majority has often used minorities to besmirch other minorities. The anglophone press especially has a history of this.

Regardless I will standby and follow this up till the end.

The Correspondence Officer at the CBSC replied to the complainant asking for additional details and information to which the complainant answered by the following:

I think I was clear. Disparaging remarks about Quebec. Stating that Quebec was anti-Semitic. That is stupid, ignorant and inflammatory cheap-shots that did not belong there. I don't like hearing dumb remarks like this from Anglophone media, reporting about events at an Anglophone university by Anglophone students. Especially not Ontario based media owned by a British citizen.

I want an explanation from Global. They can keep their free speech explanations. They insulted Quebec. I want an apology.

Now what do you want Mrs.[...]? A VHS cassette. Do you want me to get from Global for you?

The complainant followed his message by another, dated July 9, after being informed of the complaint process at the CBSC:

Mrs. [...]

It is protocols like this that make make *[sic]* people shy away from complaining. However you seem like a professional person so I will continue.

The call letters for Global in Montreal are public knowledge yet you ask for them.  
CJNT

<http://www.canwestglobal.com/feb2101.html>

CKMI

<http://www.geocities.com/tvhatton/mtl-local/ckmi.html>

I name the documentary and producer, yet you ask what date what time. July 2, 2003 in the evening. I'll get my copies of TV guide and give you both dates and times. I was expecting a load of questions, so I kept them.

That rag of a documentary "Confrontation at Concordia" by Martin Himel is already in the spotlight for being shoddy.

<http://www.globeandmail.com/servlet/ArticleNews/TPPrint/LAC/20030702/RVDOYL02GTA/TPE>

Do you want copies of the two emails that I sent to Global also? Copies of the email I sent to an independent journalist, do you want that?

Look. Here is my complaint. When an [sic] TV station uses a minority to besmirch another, this is unacceptable. Minorities fall into traps like this all the time. Martin Himel is Jewish (a minority). In order to please his Anglo-Saxon masters at Global, he besmirched Quebec (a minority). This is unacceptable.

On July 10, the complainant provided further information in the following email:

Mrs. [...]

I have just verified my records. "Conflict at Concordia" was aired Wednesday 2 July 2003 at 10 PM on Global Quebec the channel 46 station in Montreal. It was also aired as on Friday, 9 May 2003.

The gist of it is that Global Can West films a bunch of beer drinking Concordia college kids behaving like territorial children. The editing showed the juvenile rantings [sic] of the Pro Palestinian Clun [sic] and the Pro Israel Club. All Anglophones at an Anglophone university aired on an Anglophone station owned by Anglo-Saxon owned CanWest.

At the end a statement is made that Quebec was anti-Semitic. This is stupid, out of place statement. Martin Himel should know better than to pander to his Anglo-Saxon masters.

Using one minority to besmirch another, how cheap of Can-West.

As for anti-Semitic histories, think it is a toss up who was worse in Canada in the first half of the 20<sup>th</sup> century. However, war criminals, holocaust deniers and the KKK are usually found outside Quebec.

The complainant attached a Ruling Request Form to the latter email.

On July 25, the complainant sent the following email to the CBSC inquiring about the broadcaster's response:

Mrs [...]

It has been two weeks. I still have no response. Do not worry. I expected this.

The trick that Global CanWest is using is typical of impolite, mediocre organizations that have contempt for the public. How can one be satisfied or not satisfied with a response that is never given???? They did not respond before, they are not responding now and they do not intend to respond. The CBSC has no teeth and no jurisdiction over anyone.

I have copied by [sic] Federal and Provincial Government contacts. I have informed the CRTC.

Thanks for your attempts Mrs Chu. I know that you have little power to change this.

PS I saw a very intelligent documentary discussing issues between some representatives of the Quebec Jewish community and representatives of the Quebec media. It was on Radio Quebec 23 or 24 Jul 2003, late in the evening. An intelligent dialogue of people talking about getting their share, being politically correct and [about] how to communicate.

### Broadcaster's Response

On August 6, the broadcaster responded with the following letter:

Dear Mr. [...]

This letter is written in response to your e-mail correspondence (July 4, 8, 9 2003) to the Canadian Broadcast Standards Council in reference to the documentary *Confrontation at Concordia*.

Global Television considers audience feedback to our programming to be important and, we thank you for your opinions regarding the program.

As you are aware, under the *Broadcasting Act*, broadcasters, including Global Television are required to provide a broad spectrum of information and entertainment programming for "men, women and children of all ages, interests and tastes." Television programming is required to be diverse and to appeal to a wide variety of audiences. What one viewer may consider to be a satisfactory reflection of an event or sequence of events might be considered by another viewer to be misrepresentative of that event or events.

We recognize, respect and accept the complaints made regarding the documentary, *Confrontation at Concordia*. However, the issue is not of "right" and "wrong" perceptions of the events portrayed in the film. It is clear that both sides have grievances, each side has pain, arguments and anger. Each side claims justice as its objective.

The core issue of this point-of-view documentary involves the students' manner of expressing these arguments and the unfortunate intolerance, violence and disrespect of principles of free speech and respectful debate. This documentary did not examine anti-Semitism in Montreal nor were minorities used to "attack other minorities", as stated in your email. It's a chronicle of intolerance and reflects the creator's interpretation of the historical record of events.

In a larger context, what is important to Global Television as a broadcaster is the recognition of healthy controversy as essential in the maintenance of democratic institutions. Our responsibility as programmers is to deliver news, opinion, comment and editorial viewpoint on all issues including those that are controversial in nature. We believe strongly that we accomplish this objective by providing full, fair and balanced presentation of such issues across the broader spectrum of our programming schedule.

We do value the fact that you made an effort to share your views with us and apologize that a Global representative did not return your call. We will therefore give full consideration to your comments and ensure they are shared with the producer of Confrontation at Concordia.

Yours sincerely,

### Additional Correspondence

The complainant sent the following response to the broadcaster on August 8.

Dear [...]

Thank you for your response.

I want you to hear very directly what I have to say right now. I resent, totally, having an Ontario based television corporation voice disparaging generalizations about Québec. Maybe you can find where TéléQuébec pipes anti-Ontario or anti-Alberta comments into Ontario and Alberta.

As for "each side" as you stated. Anglophone pro-Palestinian and Anglophone pro-Israeli kids are being obnoxious with each other and you have to state that Quebec was anti-Semitic. What does Québec have to do with this?

You have never answered why you chose to say this in a documentary about a bunch of loud mouthed Concordia students.

Shame on you. Go ahead and be divisive. Go ahead and be anti-French, anti-Québec and anti-Québécois. What do you do know about this place anyway?

Majorities will always use other minorities to attack other minorities. Global has done exactly that. You're simply stating that "no it wasn't." [It] is certainly your right but that does not change what was said in that documentary.

Yours sincerely,

On February 25, 2004, at the request of the CBSC, the broadcaster sent a further reply dealing with questions raised in the second letter sent by the second complainant.

Dear Mr.[...],

You are quite correct in your perception that my response to all of the complaints regarding the Global TV documentary, "Confrontation at Concordia" were [sic] similar in style and content. To be honest, we felt that the specific points raised were either without merit or were acceptably answered in our original response(s).

That said, it is my pleasure to offer further enlightenment to the CBSC's National Conventional Television Panel by responding to each of the points in the attachment to your letter of February 24th. As well, we would like to thank the panel for carefully reviewing the complainant's "transcripts" of the program, and noting that the panel discovered inaccuracies in its "quotations".

Regarding:

Segment 1, page 1, comment 1

There is no doubt that a "groundswell of hatred and prejudice" existed at Concordia in the period considered by the documentary. It is also clear that that documentary apportioned responsibility among several individuals and organizations. (including the University administration and an apathetic student body)

The Comment's assertion is not correct.. [sic] although perceptions of "context" may vary among viewers.

Segment 2, page 2, comment 2

To the best of my knowledge, no remarks of an "anti-Arab" nature or, [sic] remarks relevant to the protest organizers point of view were suppressed. The producer of the program confirms that no such remarks were available for consideration.

Segment 2, page 2, comment 3

A journalistic assessment does not require "official positions". A body of evidence can be assembled over a period of time that supports a fair characterization of individual and group attitudes and behavior. In addition, partial response [sic], we would suggest that the fact that "some" Israelis refused to serve in the West Bank and Gaza, does not support the complainant's assertion that any particular [sic] view is "not representative of the Israeli public".

Segment 2, page 3, comment 6

In any television documentary a great deal of "footage" is shot and not used. The ratio might be 20 to 1 - or higher. The producer of "Confrontation" did, indeed, interview Samer Elatrash at length regarding his perceptions of the controversy and his motivation for participating. In the end the producer used the material he considered relevant to his documentary treatment and assembled it in the form that was broadcast. In my 40 years as a journalist - a good many of those years reporting, writing and producing documentaries for networks in

Canada and abroad - CTV, CBC NewsMagazine and The Journal, Global, NBC, and World Monitor - I've found that interview subjects often dispute the selection, length or assembly of interview "clips".

Segment 3, page 4, comment 1

Himel's assertion can be supported in a number of ways, most easily by sampling archived media coverage of events at Concordia University during the period considered by the documentary.

Segment 3, page 5, comment 3

There was no "unbroadcast material" that would support the complainants [*sic*] assertion, nor do we feel additional material was required to "corroborate" Himel's assertion. Only the most naive - or ideologically biased - observer would conclude that Hillel was not a primary target of the SPHR.

Segment 3, page 6, comment 7

There is no evidence to support the assertion that the quotation of Samer Elatrash is "quoted out of context", as alleged. As stated above, "context" is very often a subjective issue. But, we at Global are comfortable in our belief that the program producer fulfilled our expectations of accuracy, balance, and context.

Segment 3, page 7, comment 9

The visual link is justified in the producer's view. As the broadcaster, we saw/see no reason to challenge that view.

Segment 3, page 8, comment 11

The complainants are quibbling. It is clear that the CSU, by a variety of actions - the suspension of Hillel, coercive demands, and withdrawal of funding - aggressively tried to harass and/or shut Hillel down. There was undeniably a period in which a fair-minded viewer would conclude Hillel was effectively "banned" in the colloquial sense of the term.

Segment 3, page 8, comment 12

The relevance of swastikas in Concordia washrooms is not determined by the existence - or not - of "footage". It is widely accepted, first and foremost by staff and administration of Concordia University, that the offending symbols did appear in washrooms and were removed as quickly as possible.

Segment 4, page 10, comment 5

Global TV believes that Himel's characterization of Samer's views is fair and reasonable. There is certainly no evidence that Samer would dissociate himself from those of his friends and colleagues who hold those views.

Segment 5, page 11, comment 1

The complainant's criticism that no evidence was offered to support the claim that "many also support the violent offensive against Israel" is irrelevant. Global believes it is fair to characterize the statement as a commonly-held attitude.

Segment 6, page 11, comment 1

No. Global believes the narrator's assertion was justified. The CSU, during its radical years, and militants of the SPHR openly voiced support for the Intifada. Contorted logic would be required to assign a non-violent dimension to the Intifada.

Segment 6, page 12, comment 2

No. Global does not believe the "shot" of Marouf is taken out of context.

Segment 7, page 11, comment 1

The narrator states, as the complainant has transcribed, "Concordia activists are at the demo." There was no specific reference to the CSU.

Finally, Mr. [...], in response to the final question in your letter of February 24th, Global Television does not believe it necessary to characterize the style or content of our documentaries other than to warn of possible "disturbing images". While this program dealt with volatile issues, we felt - and continue to believe - that our viewers are quite capable of assessing the content as presented.

Sincerely,

*Signed*

Global TV News