

Canada defends ban on British anti-war MP

Keith Jones
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Lawyers for British anti-war MP George Galloway are mounting a court challenge to a Canadian government order that prohibits him from entering the country on the grounds he is a "national security" threat and terrorist accomplice.

Galloway, who was expelled from the Labour Party in 2003 because of his opposition to Britain's participation in the illegal invasion and occupation of Iraq, has criticized Canada's leading role in the Afghan War and recently led a humanitarian convoy that brought medicine, clothes and other supplies to the beleaguered people of Gaza.

Last Friday, via an article published in Rupert Murdoch's British tabloid the *Sun*, Galloway learned that Canadian authorities are barring him from the country. Conservative Immigration Minister Jason Kenney has vehemently defended the exclusion order, which was formally issued by the Canada Border Services Agency, and has vowed that under no circumstances will he make use of his prerogative as minister to issue Galloway a permit allowing him to enter the country.

Galloway is scheduled to address meetings on "Resisting war from Gaza to Kandahar" in Toronto, Mississauga, Montreal, and Ottawa respectively, March 30, 31, and April 1, and 2.

In answer to charges from Canadian anti-war groups, civil liberties organizations, the social-democratic NDP and even much of the corporate media that the exclusion order amounts to censorship, Kenney insisted Monday that the right of Canadians to hear Galloway's views is "not the issue."

The exclusion order, claimed the Conservative minister, "has nothing to do with freedom of speech and everything to do with maintaining the integrity of our immigration act, which says individuals that provide materials and financial support to an illegal terrorist organization are inadmissible for entry into Canada."

The letter sent to Galloway by the Canadian High Commission in London last Friday says the British MP is "inadmissible" to Canada "on security grounds" under clauses C and F of Section 34 of Canada's *Immigration and Refugee Protection Act*. These clauses say that foreign nationals can be barred from Canada for "engaging in terrorism" or for "being a member of an organization that there are reasonable grounds to believe engages, has engaged or will engage" in terrorism or in subverting "or instigating the subversion by force of any government."

"Specifically," says the Canadian government letter, "we have information that indicates you organized a convoy worth over one million British pounds in aid and vehicles, and personally donated

vehicles and financing to Hamas Prime Minister Ismail Haniya."

The government's claim that organizing relief for the impoverished and besieged people of Gaza, as Israel continues a punishing economic blockade, constitutes support for terrorism is both preposterous and chilling. It underscores the sweeping and arbitrary powers Canada's government, with the support of all parties in Canada's parliament, has arrogated to itself in the name of combating terrorism.

In a cogently argued letter to the High Commission official who authored last Friday's letter to Galloway, his Canadian lawyers expose the "perverse" character of the government's attempt to tar him as a terrorist and correctly label it a politically-motivated "abuse of power."

An abuse of power because the "national security" provisions of the *Immigration and Refugee Act* were not meant to provide the government with the means to censor and silence those whose political views it dislikes; because excluding Galloway from Canada robs Canadians of their constitutional right to hear his views and because, through Galloway's exclusion, the state is trying to impose novel and far-reaching reinterpretations of what constitutes a national security threat, support for and engagement in terrorism.

It is worth quoting the letter authored by lawyers Barbara Jackman and Hadayt Nazami extensively:

"We are surprised (and frankly shocked)," they write, "that it is the view of the Government of Canada that Mr. Galloway is considered to be a member of a terrorist organization and to have engaged in terrorism. While Canadian courts have applied a broad definition to the concept of 'member' to include 'fellow travelers' and other associates, the provision has never, to [our] knowledge, been so broadly interpreted as to include an elected member of Parliament, from a democratic country, because he engaged in symbolic support for a severely oppressed people, the Palestinians of Gaza. Nor has engagement in terrorism been so broadly interpreted. These interpretations are novel and far reaching in their effect.

"For the record, as you no doubt know already, Mr. Galloway is not a member of the

Hamas. He is an elected British Member of Parliament. He is a member of the Respect Party. ... [which] characterizes itself as socialist.

"While membership in a particular party does not preclude membership in another, Mr. Galloway's membership in Respect is a clear indication that he is not likely to be a member of the Hamas. Mr. Galloway is not a member of the Hamas. Indeed he

has for 30 years described himself as a supporter of the late President Arafat.

"The [Canada Border Services Agency] determination [barring Galloway] is one based on inference drawn from his involvement in the Viva Palestina aid convoy. It is not a reasonable inference. It is clear that this convoy was what it purported to be: a symbolic gesture by a number of individuals and organizations to support the Palestinians isolated and blockaded in Gaza. The passing of the convoy into Gaza was simply a recognition that the Palestinians of Gaza, who elected Hamas in a democratic election, ought not be punished by withholding from them the means of survival."

After providing information substantiating the charitable and humanitarian character of the Viva Palestina aid convoy, the letter continues:

"The second part of the inadmissibility determination is that there are reasonable grounds to believe that Mr. Galloway engaged in terrorism. It appears that this is based on the convoy as well, implying that the provision of humanitarian aid to the Palestinians in Gaza is an act of terrorism. As with the membership inference this is perverse. It would mean that UNWRA, the Red Crescent Society and other aid organizations are terrorist organizations and the individuals who support them are terrorists. ...

"The terrorism inadmissibility provision in the [*Immigration and Refugee Protection Act*] was not meant to permit Canadian officials to sanction individuals because they do not share their beliefs. Mr. Kenney, the Minister of Citizenship and Immigration, and many other members of the Harper government have clear views on Israel and its practices in relation to the territories it has occupied since 1967. Their sympathies are invariably with the Israeli government, regardless of the kind of conduct in which it engages. ... The decision to exclude Mr. Galloway from Canada because he participated in the symbolic gesture of bringing humanitarian aid to the Palestinian people of Gaza is a political decision. It is perverse and we believe constitutes an abuse of power." (The full text of the letter from Galloway's lawyers can be found at: <http://www.defendfreespeech.ca/PDFs/Galloway-HC.pdf>)

In a series of public appearances and e-mail correspondence with reporters Kenney and his aid, Alykhan Velshi, denounced Galloway last Friday when news of the exclusion order became public, baldly asserting that the government will not exercise its prerogative to set aside or ignore the order. (See: Canada bars British anti-war MP Galloway.) Yet Kenney, who is among Conservative Prime Minister Stephen Harper's most trusted lieutenants, has publicly maintained that he had no role in the decision to bar Galloway. That decision he claims was made entirely by the Canada Border Services Agency (CBSA), which formally is under the jurisdiction of the Public Security ministry.

This is a ham-fisted attempt to cover the government's tracks. Not just the fact that the exclusion of Galloway is a politically-motivated act of censorship, but also that it is part of an international campaign against him involving the British government, the Murdoch press and Zionist lobby groups.

It is unthinkable that Canada's border police would have taken the decision to exclude a British parliamentarian without the express consent of their political masters in the Harper

government. Kenney himself concedes he was aware that the CBSA was considering excluding Galloway and that "there was some discussion [of it] in my office."

The labeling of Galloway as a "terrorist" and the leaking of the decision to bar him from Canada has all the hallmarks of a Conservative smear campaign. Harper has himself repeatedly accused his parliamentary opponents of being pro-Taliban for even raising questions about Canadian military intervention in Afghanistan. And although the official Liberal opposition no less than the Conservatives, trumpeted its support for the recent Israeli invasion of Gaza, going so far as to say that the "terrorist" Hamas bore sole responsibility for all the massive civilian Palestinian fatalities, Harper accuses the Liberals of being "soft" on terror and half-hearted in their support for the Zionist state.

Galloway's visit had attracted the attention of the Conservatives' right-wing supporters. On Friday, March 20, the neo-conservative *National Post* published on its op-ed pages a reactionary tirade against Galloway under the title "Coming to Canada: a friend of terrorists." Then there is the matter of the Murdoch press publicizing the Canadian order to bar Galloway before the MP had himself been notified. There are only two possible sources of the leak—the Canadian or British government.

Following on the heels of the Canadian exclusion order, the British government's Charity Commission has announced it will mount a far-reaching inquiry into the Lifeline for Gaza: Viva Palestine charity.

"The timing speaks for itself," said Galloway on Monday. "The BBC ban a charity appeal for Gaza; last Friday, the Murdoch press inform me that a George Bush-supporting government minister in Canada has banned me from the country on account of my views on the Middle East; the following day news breaks that the British government is demanding the sacking of the deputy general secretary of the Muslim Council of Britain on account of his recognition of the government of Palestine; on Monday a couple of hours before I touch down with a substantive letter from the Viva Palestina campaign to the Charity Commission, one of its officials briefs journalists in a way that invites damaging innuendo.

"It's all too much of a coincidence.

"What is happening is a dangerous and sinister attempt to criminalise efforts to build solidarity for the besieged people of Palestine to choose their own government."



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