

William Kaplan: Listen to the voice of dissent, even if you ultimately don't follow it

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The latest offering from Toronto lawyer and author William Kaplan is *Why Dissent Matters* (McGill-Queen's University Press), which tells the story of well-known dissenters and their impact. As the book states, dissent is "noisy, messy, inconvenient and almost always time-consuming, but suppressing it is usually a mistake – it's bad for the dissenter, but worse for the rest of us." Drawing on such international protests as Occupy Wall Street and the boycott, divestment and sanctions campaign, Kaplan contends that "We don't have to do what dissenters want, but we should listen to what they say."

What is your book's genesis?

It may have been when I read Max Brook's book *World War Z* or when I saw the movie. I thought it was a really interesting concept, this idea that there is somebody designated in the role of dissenter. So I looked into the Yom Kippur War and I found more about the Tenth Man (principle of the devil's advocate). I thought, "What a great idea." If they'd listened to dissenters in the run-up to the Yom Kippur War – the people who were screaming their heads off about the amassing Egyptian and Syrian armies – Israel would not have lost 3,000 casualties. They would have called the reserves and been better prepared. The blunder was truly the worst thing that ever happened in Israel. This was something that resonated with me personally and professionally because my day job is as a third-party mediator. I assist parties in resolving conflict. I've always been aware of the fact that good ideas come from really unexpected sources.

I talk about all the barriers that prevent good decision-making. Groupthink is one. Everyone has experience with groupthink and how it can lead you down the wrong path. Then I thought, "Well, who should we listen to?" Sure, you can have a designated dissenter and devil's advocate, but the people you really need to listen to to help solve serious problems are those who feel absolutely compelled to scream their heads off. There's a caveat, of course. Some of them are wrong or crazy. But authentic dissenters are worth listening to, even if we don't do what they say.

Do you agree there's more tolerance for dissent about Israel in Israel itself than in North America?

I actually say that in the book. I say it's



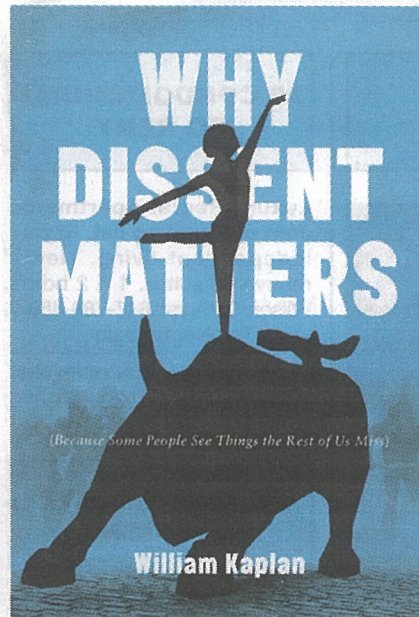
William Kaplan, Toronto lawyer and author

almost impossible to have a discussion about Israel in North America, but curiously, in Israel itself, there are so many different views, and lots of them are dissenting views – (groups such as) Breaking the Silence (and) Peace Now. In the movie *The Gatekeepers*, you have four or five former leaders of the Israeli intelligence establishment who are saying, "What we are doing in the occupied territories is bad for Israeli security, it's bad for Israel and bad for Jews." Those are pretty strong dissenting words from an unexpected quarter.

But Israel is different because, under the BDS umbrella, we have people who have Israel's best interests at heart – I consider myself to be one of them – and you have people who are anti-Semites who want to destroy Israel. And that makes it complicated.

At what point does dissent become a form of insurrection? Was the Tea Party one or the other?

I don't know a lot about that. I do know about Occupy Wall Street and I describe that at some length. When you look at it, it was a seedy carnival and the people couldn't even come up with one big demand. But there were 1,000 occupations in 80 countries and they changed the vocabulary of the entire world. "The one per cent" entered the vocabulary, and for the first time, people began to realize that income inequality threatens peace on the planet. Is that revolutionary? Yes. Is it true? I think it's true. Is it something we should take seriously? Absolutely. With Occupy Wall Street, even though they achieved nothing in terms of tangible goals – they couldn't even get a \$15 minimum wage; they couldn't



point to a single success – they certainly changed the global conversation.

Are whistleblowers dissenters?

I don't deal with a single whistleblower in the book. Whistleblowers are so complicated. Look at some of the dissenters I profile: Frances Kelsey was a Canadian doctor who ended up at the U.S. Food and Drug Administration and gets this new drug application. She realizes the science is terrible. There's intense pressure on her to approve this drug that's already been approved in 50 other countries. People come from outside the FDA, threaten her job and reputation, but she keeps pushing back. She keeps on saying no. That's not a whistleblower. That's someone who's doing her job really well.

Take Rachel Carson. She was no whistleblower. She saw how pesticides, particularly DDT, threatened all human life. She wrote a book (*Silent Spring*) that changed the whole world. There would have been an environmental movement even if Rachel Carson had never lived. But because of her, people began to realize for the first time that human beings have the capacity to destroy the world.

Look at Isabel LeBourdais. She read about a 14-year-old boy who was sentenced to death (for murder). Against huge opposition from the police, judiciary, even from her own publisher, she wrote a book, *The Trial of Steven Truscott*. People can read that book and conclude that they don't know whether (Truscott) was guilty. But no one can read that book and conclude anything other than there was an absence of due process, that he wasn't given a fair shake.

(Wartime Japanese diplomat) Sempo Sugihara was a dissenter. He had been ordered by his government not to do anything for the Jews who were attempting to flee Lithuania. My father was one of those who got a visa signed by Sugihara. He'd been given orders not to do anything, but he could see the people who were pounding on the door of the consulate needed help, and he saved untold hundreds, if not thousands. That's the kind of dissenter I'm interested in – somebody who bucks authority, who refuses to do what he's told and does the right thing. I'm interested in people who leave their comfort zones and stand up to authority, who persevere in the face of opposition and say, "There's something wrong here. Please listen to what I have to say."

You say in the book that cracks in Israel "are beginning to show." Where will that end?

It's time for something new. I knew nothing about BDS before I started the book. Like many North Americans, I had an uneasy feeling about the occupation and the growth of the settlements. It always struck me (that) they were an obstacle to peace. It's not tenable. Don't believe me. Believe the four or five men who headed Israel's security establishment. And then there was that great (Israeli) dissenter in 1968, Prof. Yeshayahu Leibowitz, who predicted what would happen if Israel stayed in the occupied territories. It's corrosive to Israeli society. It's going to turn the world against Israel. It's not going to end well. The people who are in power now, none of them are partners for peace. Ultimately, it's going to be up to the Israelis and their neighbours to figure this out. But the status quo is not tenable. There can't be another 50 years of occupation.

After having explored BDS, where do you stand?

I don't actually have a position on BDS, other than I like the fact that it's non-violent. My own opinions don't matter. All I'm describing is a dissenting movement. The reason I do this is not because I subscribe to a particular point of view. I say that we have to listen to dissenters, (but) we don't have to do what they say. You're not going to get me to say "I support BDS," because I don't. I support the right of people to protest peacefully. ■

This interview has been edited and condensed for style and clarity.