

9-4-2018

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Book Review



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### Citation Information

Binder, Jory. "Why Dissent Matters: Because Some People See Things the Rest of Us Miss, by William Kaplan." *Osgoode Hall Law Journal* 55.2 (2018) : 592-598.

DOI: <https://doi.org/10.60082/2817-5069.3294>

<https://digitalcommons.osgoode.yorku.ca/ohlj/vol55/iss2/7>

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## Why Dissent Matters: Because Some People See Things the Rest of Us Miss, by William Kaplan

### Abstract

Rachel Louise Carson was an American author and marine biologist who is widely credited with advancing the global environmental movement. In the late 1950s, Carson turned her attention from nature writing to conservation—specifically, towards problems that she believed were linked to synthetic pesticides—and gathered evidence about a looming environmental disaster. The result was the book *Silent Spring*, which brought environmental concerns to the attention of an unprecedented portion of the American public. Both Carson and her book were met with fierce opposition by agriculture and chemical companies. These companies argued that restrictions placed on pesticides, specifically DDT, caused tens of millions of needless deaths and hampered agriculture. In the face of such criticism, Carson fought back and stood up to those who did not share her values or see things the way she did, urging society to stop and listen to what she was saying.

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## Book Review

## *Why Dissent Matters: Because Some People See Things the Rest of Us Miss*, by William Kaplan<sup>1</sup>

JORY BINDER<sup>2</sup>

RACHEL LOUISE CARSON WAS AN AMERICAN AUTHOR and marine biologist who is widely credited with advancing the global environmental movement. In the late 1950s, Carson turned her attention from nature writing to conservation—specifically, towards problems that she believed were linked to synthetic pesticides—and gathered evidence about a looming environmental disaster. The result was the book *Silent Spring*,<sup>3</sup> which brought environmental concerns to the attention of an unprecedented portion of the American public.<sup>4</sup> Both Carson and her book were met with fierce opposition by agriculture and chemical companies. These companies argued that restrictions placed on pesticides, specifically DDT, caused tens of millions of needless deaths and hampered agriculture.<sup>5</sup> In the face of such criticism, Carson fought back and stood up to those who did not share her values or see things the way she did, urging society to stop and listen to what she was saying. It was a standstill moment in history and a scary one at

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1. William Kaplan, *Why Dissent Matters: Because Some People See Things the Rest of Us Miss* (Montreal: McGill-Queen's University Press, 2017) [*Why Dissent Matters*].
  2. JD (2018), Osgoode Hall Law School, Toronto, Canada.
  3. (Boston: Houghton Mifflin, 1962). *Silent Spring* initially appeared serialized in *The New Yorker* magazine in three parts for three weeks between 16-30 June, 1962. See Rachel Louise Carson, "Silent Spring-1," *The New Yorker* (16 June 1962) online: [www.newyorker.com/magazine/1962/06/16/silent-spring-part-1](http://www.newyorker.com/magazine/1962/06/16/silent-spring-part-1).
  4. Kaplan, *supra* note 1 at 106-09.
  5. *Ibid* at 109.

that—I imagine it is not an easy feat to leave your comfort zone, come forward and put your neck out on the line. Significantly, as lawyer and prolific author William Kaplan<sup>6</sup> remarks, “Rachel was right,” and as a result the world was likely saved from an environmental tragedy.<sup>7</sup> This led to a reversal in US pesticide policy and a nationwide ban on DDT and other pesticides.

Honouring Carson’s accomplishments with the Presidential Medal of Freedom in June 1980, President Jimmy Carter stated:

Never silent herself in the face of destructive trends, Rachel Carson fed a spring of awareness across America and beyond. A biologist with a gentle, clear voice, she welcomed her audiences to her love of the sea, while with an equally clear determined voice she warned Americans of the dangers human beings themselves pose for their own environment. Always concerned, always eloquent, she created a tide of environmental consciousness that has not ebbed.<sup>8</sup>

The president’s description of Carson—“never silent ... in the face of destructive trends”—is precisely the type of person Kaplan calls an authentic dissenter: someone who plays the crucial role of devil’s advocate simply because their conscience leaves them no other choice.<sup>9</sup> In effect, dissenters cut through groupthink and ensure better, more just decisions.<sup>10</sup> According to Kaplan dissenting juries and judges, political activists sentenced to death, and participants in international protests such as Occupy Wall Street and the Boycott, Divest, and Sanction movement, can, and do, change the world by confronting what they see as institutionalized injustice. It should be noted that Kaplan did not always hold this view, admitting in an interview, “I used to think public protestors were a nuisance. They would impede traffic, they got in your way. But I’ve since completely changed my mind.”<sup>11</sup>

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6. William Kaplan is a lawyer and author of many books. See e.g., *Canadian Maverick: The Life and Times of Ivan C. Rand*, 2nd ed (Toronto: University of Toronto Press, 2009). He lives in Toronto.
  7. *Ibid* at 92-128. Rachel Carson is discussed in Chapter 4, entitled “Rachel Was Right: Rachel Louise Carson.”
  8. Jimmy Carter, “Presidential Medal of Freedom Remarks at the Presentation Ceremony” (9 June 1980), online: The American Presidency Project [www.presidency.ucsb.edu/ws/?pid=45389](http://www.presidency.ucsb.edu/ws/?pid=45389).
  9. Kaplan, *supra* note 1 at 50-52, 63-64.
  10. *Ibid* at 46-50. The idea of groupthink is discussed under the heading “Cognitive Barriers to Good Decision Making.”
  11. Catherine McIntyre, “Why we need dissenters as badly as ever,” *Maclean’s* (31 May 2017), online: <[www.macleans.ca/society/why-we-need-dissenters-as-badly-as-ever](http://www.macleans.ca/society/why-we-need-dissenters-as-badly-as-ever)>.

A blunt and forceful work on controversial subjects, *Why Dissent Matters* explores the value of dissenters in recent history and reveals how they have been “attacked, bullied, ostracized, [and] jailed”<sup>12</sup> for attempting to end suffering or corruption or avoid catastrophes by offering alternative perspectives. The book is a feature of the Bill Graham Centre for Contemporary International History “Books that Matter Series.”<sup>13</sup> The dissenters profiled in the book share the common characteristics of having incredible courage and facing attacks and criticism for their compulsion to come forward, stand up, and challenge the status quo. Kaplan shows that “[d]issent is noisy, messy, inconvenient, costly, often misplaced, sometimes laughable, usually badly timed, and almost always time-consuming,”<sup>14</sup> but that suppressing it is a mistake. Suppression, Kaplan argues, is bad for the dissenter and worse for society. He contends that we do not have to do what dissenters want, but we should listen to what they say. The result is a fascinating and compelling read that challenges readers to re-evaluate their own beliefs.

It would not be appropriate in this context to delve into a summary of each chapter, firstly because the book deserves to be read for readers’ own enjoyment, but more importantly, because it would miss the mark of *Why Dissent Matters*. The topics covered are difficult and raise important questions—ones that may make the reader uncomfortable and challenge established political beliefs. But Kaplan’s point is precisely that dissent is technically defined by its position, *not* by its content.<sup>15</sup> While featured figures such as Frances Kelsey, Steven Truscott, and Rachel Carson, and events such as the Yom Kippur War, the Cuban Missile Crisis, the anti-Israel boycott, and Occupy Wall Street all matter in their own right, *Why Dissent Matters* is an overarching survey of the various postures that dissenters can adopt. Kaplan demonstrates an ability to effectively summarize each event while also advancing his own unique, highly persuasive arguments. It is not each exhaustively researched individual case study, but the ties that bind the chapters together, the commonalities, and the big-picture messages that should be contemplated. The book also stands out for its multi-disciplinary

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12. Kaplan, *supra* note 1 at xiii.

13. The Bill Graham Centre for Contemporary International History exists to study the history of international relations. It is based at Trinity College and the Munk School of Global Affairs at the University of Toronto. See Bill Graham Centre for Contemporary International History, “Why Dissent Matters with William Kaplan and Bob Rae,” online: <billgrahamcentre.utoronto.ca/events/2017/10/4/books-that-matter-why-dissent-matters>.

14. Kaplan, *supra* note 1 at xii.

15. Andrew Potter, “The New Dissent,” (2017) 25:6 *Literary Review of Canada*, online: <reviewcanada.ca/magazine/2017/07/the-new-dissent>.

nature—it is rare for a work to combine history, politics, and psychology in such a straightforward way, painting a clear picture of a concept that is otherwise obscure.

While this book excels at retelling the stories of some paradigmatic dissenters from modern history, Kaplan arguably dodges the more difficult cases and fails to provide the reader with any guidance for identifying future dissenters. The problem here is that while Kaplan promotes being open minded, his book preaches a one-sided, very narrow vision of dissent and defines dissenters by seemingly unattainable characteristics. Dissent involves individuals or groups who authentically believe that something is wrong, and, for a principled reason, risk everything to stand up and speak against the status quo in the name of a bigger goal like equality, community values,<sup>16</sup> or justice. In so doing, they improve the world.<sup>17</sup> This definition requires the dissenter to risk something and abide by a moral principle. But how should we identify a dissenter who “sees things the rest of us miss” today? What sort of behaviour counts as dissent, by whom, in what form, and to which ends? Further, Kaplan separates “them,” the dissenters, from “the rest of us”—but who are the rest of us?<sup>18</sup> Through this definition, it appears that dissenters are an elite group that the average person can never be a part of, stripping the book and its ideas of broader relevance and applicability. Instead, it recounts mere inspirations that seem unachievable in real life.

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16. Kaplan, *supra* note 1 at 135-37. Here, Kaplan discusses community values in the context of dissenting juries and judges.

17. This definition comes from a synthesis of Kaplan's ideas about dissenters that are discussed in each chapter. See also Global News Online, “Author and Lawyer William Kaplan Talks Why Dissent Matters” (5 October 2017), online: YouTube <[www.youtube.com/watch?v=yjBBTnSJuHw](http://www.youtube.com/watch?v=yjBBTnSJuHw)> at 00h:04m:01s [Global Online].

18. Kaplan, *supra* note 1 at 54, 304. At times throughout the book, it seems like Kaplan's reference to “the rest of us” is targeting mere humans. In his discussion of Red Teams, Kaplan concludes, “It is definitely comforting to believe that there are people out there who can really figure this stuff out, who can uncover what mere mortals cannot see.” *Ibid* at 54. Later, Kaplan says:

A lot has to do with character. Either you have it or you don't. There are really remarkable people out there: people who risk their reputations, their financial security, and sometimes their lives in pursuit of principle and really big ideas—challenging and dangerous ideas. We need to know more about them, to try to figure out what makes them stand up while everyone else remains seated, and to listen carefully to what they have to say. One thing is for sure: you don't have to be a doctor or a scientist or a judge to dissent bravely. Everyone matters. *Ibid* at 304.

See also Global Online, *supra* note 17 at 00h:02m:06s. Kaplan describes being a dissenter as being “the unhappy camper in the cabin. Nobody wants to spend time with somebody who is saying ‘no’ or ‘don't do this.’”

Arguably, Kaplan paints a picture through his choice of dissenters that fetishizes the concept of dissent and renders it a nearly impossible standard to fulfill. He makes it difficult to imagine anyone becoming an authentic dissenter. However, after scrolling through Kaplan's Twitter profile,<sup>19</sup> one can see that his obsession with dissent and dissenters is not limited to this book, but permeates his personal life as well. On Twitter, Kaplan succeeds in providing a more realistic, attainable definition of dissent. For example, I clicked on one of the links to an article about *The Israel Lobby and U.S. Foreign Policy*,<sup>20</sup> a 2007 book that ignited debate about the Middle East. Critics accused the authors of *The Israel Lobby* of giving a voice to historic anti-Semitic slurs, but supporters welcomed the book as "opening a door to needed dialogue on a taboo subject."<sup>21</sup> Another link to an article about Independent Jewish Voices Canada (IJV) poignantly explains that "IJV carries a big punch. The very existence of a national Canadian organization of Jews who dare to criticize Israel, opens up a terrain of debate that many non-Jews would be hesitant to enter."<sup>22</sup>

From his Twitter feed, Kaplan makes clear the point he is trying to make in *Why Dissent Matters*: society needs to welcome people who see the world in a way that is completely different from the majority view. Those who dare to "[open] the door to needed dialogue"<sup>23</sup> are in fact the undercover, underrated heroes of our society—they are the ones who prove that some of our most strongly held beliefs are in fact misguided. *That* is why dissent matters. All we have to do is

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19. William Kaplan, online: Twitter <[www.twitter.com/dissentmatters](http://www.twitter.com/dissentmatters)>.

20. William Kaplan, "We don't have to do what dissenters say. Or even agree. Just listen. Sometimes they see things the rest of us miss" (25 September 2017 at 9:28am), online: Twitter <[twitter.com/dissentmatters/status/912353198660341761](https://twitter.com/dissentmatters/status/912353198660341761)> linking to Steve Bynum & Jerome McDonnell, "Co-Authors Reflect Ten Years After Publishing Controversial Book, 'The Israel Lobby'" (18 September 2017), online: WBEZ 91.5 Chicago <[www.wbez.org/shows/worldview/coauthors-reflect-ten-years-after-publishing-controversial-book-the-israel-lobby/8e147fc6-dfa8-459c-894d-d2b8bf7eccf6](http://www.wbez.org/shows/worldview/coauthors-reflect-ten-years-after-publishing-controversial-book-the-israel-lobby/8e147fc6-dfa8-459c-894d-d2b8bf7eccf6)>. See John J Mearsheimer & Stephen M Walt, *The Israel Lobby and U.S. Foreign Policy* (New York: Farrar, Straus and Giroux, 2007).

21. Bynum & Jerome, *supra* note 21.

22. Peter Larson, "Video interview with Independent Jewish Voices' new National Coordinator" (6 September 2017), *Canada Talks Israel/Palestine* (blog), online: <[canadatalksisraelpalestine.ca/2017/09/17/independent-jewish-voices-canada-gets-new-national-coordinator/amp](http://canadatalksisraelpalestine.ca/2017/09/17/independent-jewish-voices-canada-gets-new-national-coordinator/amp)> linked to in William Kaplan, "Lots of dissenting voices about Israel & Jewish voices among the loudest. Why Dissent Matters - McGill-Queens UP" (20 September 2017 at 7:02am), online: Twitter <[twitter.com/dissentmatters/status/910504466192809984](https://twitter.com/dissentmatters/status/910504466192809984)>.

23. Bynum & Jerome, *supra* note 21.

listen, pause, and pledge not to be afraid of new ideas. Sometimes, this might even mean rethinking everything from the beginning.<sup>24</sup>

While it is a shame that *Why Dissent Matters* almost mythologizes the concept of dissent, Kaplan's point is nonetheless clear. His success is partly due to avoiding unfocused summaries of his featured dissenting figures. Instead, his detailed analysis in each chapter never abandons his overarching themes about challenging the status quo. The fact that the book is written in a blunt and clear style makes it easily digestible and enjoyable for a wide audience.

The key sentence to take away from this book is that dissent matters because "some people see things the rest of us miss."<sup>25</sup> My understanding is that dissent is the brave act of diverging from a consensus—it does not speak to the truth of the content of what is being said. "The aim is to look at things creatively, independently, and from a fresh perspective, to engage actively with and to reconsider the status quo."<sup>26</sup> This is where Kaplan's ideas stand out the most: The reason to listen to dissenters is that humanity is imperfect and biased, the author himself included.<sup>27</sup> In other words, our cognitive biases affect what we see, and we are better served by having input from and listening to a diversity of views<sup>28</sup>—whether they are true or false, right or wrong—for the purposes of being challenged and reminding ourselves why we believe what we do.<sup>29</sup> In this light, dissent is a safety mechanism for society, which must be actively encouraged and fostered—when it is stifled, we are all worse off. "Dissenters are important. They force us, sometimes uncomfortably, to look at the other side. Without them, we could easily go down the wrong path,"<sup>30</sup> Kaplan writes.

In the era of untruth and Donald Trump's presidency, this message is especially timely. On this point, Kaplan makes the observation that "the

24. See Kaplan, *supra* note 1 at 302. Kaplan notes: "Good decision making is enhanced by putting together different pieces of information gathered from a wide variety of sources, in a setting where team members are truly encouraged to speak and where new information—information that might change everything—is welcomed, not suppressed." *Ibid.*

25. *Ibid.* This phrase is peppered repeatedly throughout the book and is featured in the title.

26. *Ibid* at 33.

27. Kaplan can at times appear to be a victim to his own biases as well, demonstrated from his one-sided stance on the suppression of dissent under Stephen Harper and repetitive calls for the necessity of dissenting voices with respect to Israel. See *ibid* at 225-44, 308.

28. *Ibid* at 49. See also *ibid* at 302. Kaplan emphasizes, "Disagreement, instead of being rejected as argumentative, should be encouraged and embraced."

29. *Ibid* at ix. Kaplan emphasizes that "[s]ome of our most fiercely held beliefs will turn out to be completely wrong."

30. *Ibid* at xii.



forty-fifth president of the United States is quite comfortable in using his pulpit, and Twitter account, to trash talk and bully anyone who has the temerity to dissent and disagree. Predictions are a mug's game, but here is one: the world is about to become extremely dangerous."<sup>31</sup> *Why Dissent Matters* is a well-researched, well-articulated, thought-provoking, and highly relevant work that dares readers to escape from their own beliefs, rise above groupthink and consider a different, even conflicting perspective. This sentiment is universally valuable. The reality is, bluntly stated, that society needs dissenters today as badly as ever. Our problems are not going away. There will always be new opportunities for dissenting voices to break through the status quo. In contemplating the state of our society today, reading William Kaplan's *Why Dissent Matters* is a good place to start—ultimately, it will change how readers think about standing up for what they believe in.

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31. *Ibid* at 224. See also Charles M Blow, "First They Came For..." *The New York Times* (27 July 2017), online: <[www.nytimes.com/2017/07/27/opinion/donald-trump-scouts-tradition.html](http://www.nytimes.com/2017/07/27/opinion/donald-trump-scouts-tradition.html)>.