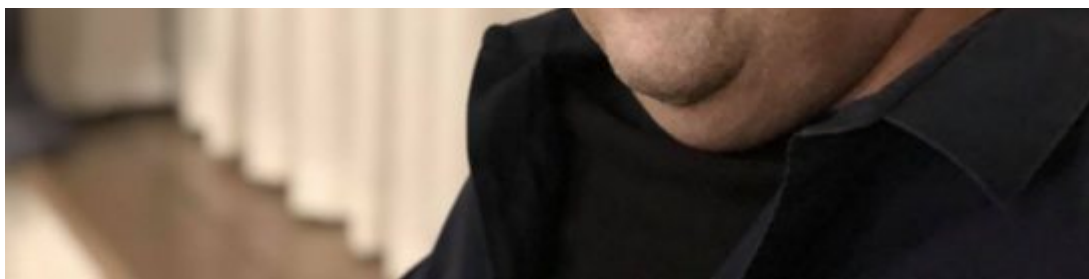


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# It was the new phenomenon of Israel-focused antisemitism that required the new definition of antisemitism. David Hirsh responds to a recent ‘call to reject’ the IHRA

by David Hirsh





David Hirsh.

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40 UK-based Israeli academics, broadly from the anti-Zionist left, have [issued](#) a ‘call to reject’ the IHRA Working Definition of Antisemitism. David Hirsh, author of *Contemporary Left Antisemitism*, reviews and rejects their arguments [here](#). He points out that the phenomenon of contemporary antisemitism came before, and required, the definition: ‘The IHRA highlights the possibility of antisemitism which is related to hostility to Israel because that is a significant part of the antisemitism to which actual Jewish people are subjected in the material world, as it exists’. Calls to reject the definition, he argues, are ‘not concerned with the constructive work of describing and opposing antisemitism,’ but only with ‘the purely negative work of rejecting efforts to do so’. Too often that negative work gives succor to some of the core ideas of contemporary antisemitism.

### **‘ASANISRAELI’: THE 40 INVERT IDENTITY POLITICS AND ADOPT THE LIVINGSTONE FORMULATION**

The 40 writers of the ‘call to reject’ the IHRA definition of antisemitism parade and mobilise their Israeli identities in an effort to give their position greater moral weight. Their message is aimed at licensing and encouraging their non-Jewish and non-Israeli colleagues to support a controversial position on antisemitism which the overwhelming majority of Jews and Israelis oppose.

They write not only ‘asaJew’ but also as *Israelis*. And not only as Jews and Israelis, but as *antiracist* Jews and Israelis, as though this is a special and rare subcategory. The truth is that the ‘call to reject’ position on antisemitism is opposed by the overwhelming majority of *antiracist* Jews and Israelis. And most Jews and Israelis, just like anybody else, are against racism. And the ‘call to reject’ position is opposed by Jews who are against racism *because* they’re against racism, not in spite of it. To campaign specifically against the racism that targets you yourself is not disgraceful and nor does it signify a softness on racism that targets other people.

Generally, with identity politics, people say that their ‘lived experience’ as members of a targeted group gives them some special insight, partially hidden from those outside, to the nature of the racism that they suffer.

Nancy Hartsock argued that a standpoint 'carries with it the contention that there are some perspectives on society from which, however well-intentioned one may be, the real relations of humans with each other and with the natural world are not visible.'<sup>[1]</sup>

But the 'call to reject' inverts identity politics. Its claim is that membership of the targeted group gives them not a privileged view, based on experience, of the racism that Jews suffer, but rather... special inside knowledge of the self-serving and dishonest claims made by the majority of Jews! They write as though their standpoint requires them to bear witness against the majority of Jews and Jewish institutions and to warn non-Jews about Jewish cunning, dishonesty and selfishness.

Most Jews on campus say that they experience antisemitism and they would like it if their fellow scholars and students were better at recognising and opposing it.<sup>[2]</sup> But the 'call to reject' by the 40 is keen to inform colleagues that the claims of mainstream Jews that they experience antisemitism are fake and that their IHRA definition is cooked up by Zionists, racists and Tories in a bad faith effort to silence criticism of Israel and to smear the left.

In the 1999 report of the public inquiry into institutional racism in the Metropolitan Police, Britain formally accepted the principle that if somebody says they have experienced racism then the initial assumption should be that they are telling the truth. This *Macpherson Principle* is related to the principle that if a woman says she has been the victim of sexual violence or rape, then authorities and institutions should conduct their investigation on the same initial assumption, that the complaint is made in good faith.

By contrast, the *Livingstone Formulation*,<sup>[3]</sup> named in 2006 after the then Mayor of London Ken Livingstone, is the standard articulation of the opposite assumption. The *Livingstone Formulation* says that that when people raise the issue of antisemitism, they are probably doing so in bad faith in a dishonest effort to silence legitimate criticism of Israel. It warns us to be suspicious of Jewish claims to have experienced antisemitism. It warns us to begin with the sceptical assumption that such claims are often sneaky tricks to gain the upper hand for Israel in debates with supporters of the Palestinians. And this is the substantial position of the 'call to reject' the IHRA definition of antisemitism.

The *Livingstone Formulation* does not allege that Jews often misjudge what has happened to them, it alleges that they lie about what has happened to them. It is not an allegation of error, or over-zealousness, perhaps explicable by reference to

the antisemitism of the past. It is an allegation of conspiracy. The 40 do not say that (other) Jews and (mainstream) Jewish institutions campaign for IHRA out of a genuine if misplaced fear of antisemitism, it says that they do so with an ulterior motive of re-describing criticism of Israel as antisemitism in order to make it appear illegitimate. This is not an allegation made against this or that Jewish person, but against the overwhelming majority of Jews and their institutions.

A recent letter in the Guardian, signed by 95 leading Jewish student activists, states that they campaign for the adoption of the IHRA definition because they 'seek to protect Jewish students and not the government of the State of Israel'. It went on:

The abuse we face is often cloaked in political discourse. When Jewish students who protested against Jeremy Corbyn's visit to the University of Bristol described being called a 'filthy zio' and 'a puppet of the Zionist lobby', and being 'repeatedly asked who was paying [them] to be there', and told that they 'should go back to where [they] belong', they were not encountering criticism of the State of Israel; rather, they were experiencing naked antisemitism.<sup>[4]</sup>

Recently the old notion that Jews are rich and so side with the oppressors has re-emerged into the mainstream with the accusation that Jews pretend to have experienced antisemitism on the left, not only to silence Palestinians, but also to protect 'capitalism' itself.

The recent Equalities and Human Rights Commission (EHRC) report on antisemitism in the Labour Party<sup>[5]</sup> under Jeremy Corbyn's leadership felt the need to re-state the *Macpherson principle* specifically in relation to antisemitism. The report says that to assume that allegations of antisemitism are made in bad faith for ulterior motives may itself be antisemitic:

Labour Party agents denied antisemitism in the Party and made comments dismissing complaints as 'smears' and 'fake'. This conduct may target Jewish members as deliberately making up antisemitism complaints to undermine the Labour Party and ignores legitimate and genuine complaints of antisemitism in the Party.<sup>[6]</sup>

When this was done by officers of the Labour Party, says the report, it constituted 'unlawful harassment' under the Equality Act (2010). The *EHRC Principle* is that the practice of dismissing complaints of antisemitism as 'smears' and 'fake' may itself be antisemitic. The wording is important here because it still requires judgment of the specifics of the case. Of course it is possible for an accusation to

be made that is in fact fake, or a smear, just as it is possible for a woman to invent a story of rape. But to dismiss such accusations without proper investigation, without empathetic consideration and without taking them seriously may well be antisemitic – or sexist.

The EHRC saw a need to make this principle explicit because, during its investigation, it often saw accusations of antisemitism being dismissed as ‘fake’ or ‘smears’ in ways which were antisemitic. In the Labour Party at that time, such dismissals of Jewish experience as fake and smears were among the key ways in which Jews were subjected to antisemitism. The fact that this targeting of Jews allowed exceptional clemency from antisemitism for the tiny minority of Jews who explicitly disavowed allegations of Labour antisemitism does not make much difference. Mainstream Jews who said they had experienced antisemitism were dismissed as fakers and liars. The dismissal functioned as cover for the practice of refusing to look into the detail of what was alleged. Jews were treated not as individuals but only as instances of ‘the Zionists’. They were treated as though they were agents of Israel, the Board of Deputies, the Jewish Labour Movement, the Community Security Trust, the Chief Rabbi, and the Tory Party. To push the assumption that Labour Jews are really Tories, only pretending to be loyal to Labour, is to create a hostile environment for Jews. Something similar still happens routinely on our campuses.

### **IGNORING ACTUALLY EXISTING ANTISEMITISM: THE PHENOMENON IS REAL, THAT’S WHY THE DEFINITION IS NEEDED**

It is important to understand that the EHRC emphasised the accusation of bad faith in its report because its investigation found that the accusation of bad faith was a significant antisemitic phenomenon in the real world.

This method reflects my own understanding of what is at the heart of social science as an empirical and materialist discipline. The best social science begins by looking at the world, and only from that basis is it able to develop theories to help make sense of the world. To be sure, the process goes both ways: empirical observation informs concepts and concepts then help us to understand the world that we’re looking at.<sup>[7]</sup>

The IHRA definition is similar in this respect. It highlights the possibility of antisemitism which is related to hostility to Israel not because somebody thought it was a good idea in the abstract, but because that is a significant part of the antisemitism to which actual Jewish people are subjected in the material world, as it exists. The IHRA definition was written following the experience of antisemitism at the World Conference against Racism at Durban in 2001, where there was a largely successful campaign to designate ‘Zionism’ as the key racism

on the planet after the defeat of apartheid.<sup>[8]</sup>

This kind of political antisemitism, which targeted Jews as Zionists and Zionism as racism, was gaining ground on campuses too in the first years of the century. It was also related to what three of the key drafters of the definition describe as a 'resurgence in antisemitic incidents in Europe including violent attacks on Jewish targets. Most occurred in Western Europe, and many were identified as coming from parts of local Arab and Muslim communities.'<sup>[9]</sup> Of course the definition also kept an eye on the persistence of right wing fascistic antisemitism, especially in Eastern Europe at that time. Today's populism, with its potentially antisemitic targeting of a metropolitan, educated, liberal, cosmopolitan elite, cast in opposition to a 'white working class', was not yet foreseen.

Any definition does not come first out of thought but out of an understanding of, and an effort to describe, *a thing which exists*.

The 'call to reject' describes things which it does not think constitute antisemitism but it is not interested in describing the *actual experience* of antisemitism on the left and on campus. It describes what it considers to be legitimate 'criticism of Israel' but it does not describe the lived experience of *actual* antisemitism. If it did, it would have to think carefully about how to help people distinguish one from the other, but then it would have stepped back into the realm of rational politics from the world of conspiracy fantasy. The 'call to reject' is not concerned with the constructive work of describing and opposing antisemitism, it is concerned with the purely negative work of rejecting efforts to do so.

It should be obvious, although it is not obvious to the signatories of the 'call to reject', that the *Macpherson Principle*, the Equality Act, the EHRC report and also the IHRA definition are resources for fighting antisemitism which mutually reinforce one another. They are each the products of distinct layers of experience and understanding. They also reflect the continuity, as well as the particularity, of antisemitism in relation to other forms of racism, bigotry and other structures of exclusion. The anger with which some people who consider themselves to be antiracist show against Jews who say they are victims of racism is significant. As are the ways in which these antiracists tend to forget the principles and understandings which are usually second nature when they think about other racisms and unjust structures of power.

Some critics say that it is an error for Jews to include rhetoric which is related to Israel in a definition of antisemitism. But the fault does not lie with the drafters of the definition, the fault lies with the actual phenomenon of antisemitism which

the drafters are trying to encapsulate and describe. Antisemites come for Jews, accusing them of being agents of Israel and Zionism. This kind of antisemitism defines ‘Zionism’ as racism, apartheid, imperialism and Nazism. In this context, the plurality of the ways in which Jews define their own identities and how they define their own relationships to Zionism and Israel are not relevant. What matters is the identity which is thrust upon them, in a hostile way from outside and without their consent, by antisemitism. Racism constructs race. Anti-Zionism constructs this kind of antisemitism.

## **MISREPRESENTATIONS: THE 40 MISLEAD US ABOUT THE AMBITIONS OF THE IHRA DEFINITION**

The key thrust against IHRA in the ‘call to reject’ is the attempt to dismiss Jewish complaints of antisemitism as fake smears intended to chill freedom of criticism. The key claim in the ‘call to reject’ is the very thing that the EHRC report says is itself a significant manifestation of contemporary left antisemitism.

In truth the IHRA working definition is not a piece of magic which can tell you what is antisemitic and what isn’t. It is a much less ambitious document than that. It does not legislate anything as antisemitic. What it does do is draw attention to the kinds of things that we know, from experience, are sometimes antisemitic. It says that if you see these kinds of things, then you should make a judgment about whether your specific case is antisemitic or not. It sets alarm bells ringing over certain kinds of discourse. The alarm bells tell you where to look, they do not make final or fixed judgments.

The ‘call to reject’ says that the definition ‘constitutes an attack both on the Palestinian right to self-determination and the struggle to democratise Israel.’ It is utterly obtuse to read the IHRA definition as designating support for either of these, the right or the struggle, as being antisemitic.

Given that the definition explicitly advocates suspicion of those who would *deny* the Jewish people the right to self-determination, is it even thinkable that IHRA would advocate equal suspicion of those who *refuse to deny* the Palestinian people the right to self-determination? The definition is an attempt, in good faith, to help people and institutions to learn how to recognise antisemitism. The ‘call to reject’ reading of the definition sees it only as a bad faith and dishonest attempt to enshrine double standards in favour of Israel; double standards being something else which IHRA explicitly highlights as being suspicious.

When Jews talk about antisemitism, anti-Zionists invariably try to re-describe what they say they have experienced as being *really* to do with Israel and Palestine. Imagine if somebody accused the Jews of being capitalist exploiters, and

...accuses me of antisemitism, somebody, accused me of being capitalist exploiters, and Jewish people responded by saying that this is a classically antisemitic attack. 'Ha!' replies the antisemites. 'Every time I criticise capitalist exploiters, somebody accuses me of antisemitism!' No, we do not accept the antisemitic attempt to re-describe opposition to antisemitism as one side of a discussion about the rights and wrongs of capitalist exploitation.

The truth of course is that supporting Palestinian self-determination has nothing to do with antisemitism. Unless you think that it is conditional on denying Israeli self-determination; unless you think it requires you to support the antisemitism of Hamas and Hezbollah; unless you think it requires you to set up a hostile environment for Jews around the world under the assumption that they might be racist, imperialist, pro-apartheid or Nazis.

And the second claim, that the IHRA definition designates campaigns to make Israel more democratic as antisemitic, is even more deliberately obtuse than the first. Supporting Israeli democracy is nothing to do with antisemitism; unless you think that any possible Israel is necessarily undemocratic.

The IHRA working definition of antisemitism says: '...criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.' The definition of antisemitism *specifically protects criticism of Israel*, and if the writers of the 'call to reject' were worried that their criticisms of Israel could be treated as antisemitic, they would campaign *for* the definition, for that very reason. If there really was some vicious and all-powerful Israel Lobby running around trying to silence criticism of Israel, and getting Tories to do its dirty work, the IHRA definition would be an important protection *against* those ends.

## MISQUOTATIONS

Here is the key passage from the 'call to reject'.

To illustrate, one example of antisemitism is '[to claim] that the existence of a State of Israel is a racist endeavour.' Another antisemitic act, according to the document, is 'requiring of [Israel] ... a behaviour not expected or demanded of any other democratic nation.' Surely, it should be legitimate, not least in a university setting, to debate whether Israel, as a self-proclaimed Jewish State, is 'a racist endeavour,' or a 'democratic nation.'

This is misleading.

First, note how the IHRA actually introduces *all* its examples of antisemitism:

'Contemporary examples of antisemitism... could, taking into account the overall



context, include...'. Note those two key words: 'could' and 'context'.

The definition, then, does not simply designate any of the examples as *definitely* antisemitic. Rather, it offers examples which *could*, taking into account the overall context, be antisemitic. It says that if you see things like this, then make a judgment. Think about context; who has said it, what they've said, how they've said it, to whom they've said it, what was the intention, how could it have been understood, etc. Make a judgment, for these are the kinds of things that are, in some contexts, by experience, be antisemitic.

Second, consider how the 40 misquote the IHRA definition to advance their case. The 'call to reject' letter of the 40 presents the IHRA definition thus:

'one example of antisemitism is '[to claim] that the existence of a State of Israel is a racist endeavour.'

Here is the actual wording of the IHRA Definition:

*Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.*

The 40 have cut the all-important context to the 'racist endeavour' clause, which is the clause about 'denying the Jewish people the right to self-determination'. Once we add that clause back in, it is clear that the IHRA definition is inviting us to consider, as a possible example of antisemitism, after taking context into account, the claim that *any* possible state of Israel would *necessarily* be a racist endeavour. And that would be an extraordinary claim to make. It would be criticism, not of Israeli policy but of Jewish peoplehood *per se*, quite unlike that leveled against any other people, and it could, for sure, in certain contexts, be antisemitic.

Note: people doing research on Israel, on the life raft for the undead of Europe, on the ethnic cleansing of Jews from new states across the Middle East which defined themselves as 'Arab', on the *Nakba*, on 1948, on 1967, on civic and ethnic nationalism, on post-colonialism, on the history of the Israel/Palestine conflict would simply *not be affected* by this example.

Another example of how the 40 mangle the presentation of the IHRA definition to their advantage concerns 'double standards'.

The 40 present the IHRA Definition as saying that the following is antisemitic:

‘requiring of [Israel] ... a behaviour not expected or demanded of any other democratic nation.’

And here is what the IHRA actually proposes is (possibly, given the context) an example of antisemitism:

Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

The 40 have cut the reference to ‘double standards’. This matters because double standards lie at the very heart of any racism or antisemitism. Racism and antisemitism is, precisely, the practice of requiring behaviour of one group that is not required of others, of relating to the target group differently and applying different criteria and assumptions to them.

### **Stunning Naivety: the 40 show no self-awareness of the histories of left wing and scholarly antisemitism**

The clause ‘surely, it should be legitimate, not least in a university setting...’ is revealing. There is a stunning naivety here about what is going on around these people on campuses and about the history of their own political and scholarly traditions.

Hundreds of examples and reams of analysis of left antisemitism have been flying around the public domain in Britain for years now. They have been accepted by the Labour Party as true; they have been condemned and detailed by the EHRC, they have been described in newspapers, books,<sup>[10]</sup> journals, scholarly papers, reports, documentaries, social media, the Jewish press and the institutions of the Jewish community. The academic unions tore themselves apart over the campaign to boycott Israeli colleagues and the antisemitism which came with that campaign. Antisemitism on campus has been opposed by the Union of Jewish Students and the Community Security Trust, by academics and by students, by Government and by the universities themselves, most of which have adopted the IHRA definition because they think it helps, given their own specific experience. The Israeli scholars of the ‘call to reject’ have apparently not seen any of this. They have not written about it. They think it is all a conspiracy to silence them and to smear the left.

### **ALL LIVES MATTERING THE JEWS**

Perhaps the most eccentric claim in the ‘call to reject’ is the criticism that the IHRA definition ‘singles out the persecution of the Jews.’

Well, if there is persecution of Jews, why not single it out? Is persecution of the Jews not something extraordinary and especially concerning? Why not describe it, hunt it down, expose it, oppose it, criticise it and educate about it?

Having spent pages describing how this talk about antisemitism is all got up as a Jewish and Tory conspiracy to prohibit criticism of Israel, towards the end we get a new claim: the problem is that their persecution is being 'singled out'.

Obviously, it is antisemitism, not opposition to antisemitism, which *singles out* Jews for special hostility and persecution. Antisemites are obsessed by Jews. They invariably think that they are the victims of the powerful and cunning Jews, they think Jews try to de-legitimise legitimate criticism of Jews by falsely designating it antisemitism.

To be generous to the authors of the 'call to reject', I suspect what they mean to say is that IHRA privileges opposition to antisemitism over opposition to other racisms. Why can't other victims of racism have their own special definitions too, and their own special examples? Antisemitism always asks why the Jews insist on being recognised as the Chosen People.

It is often said that Jews are 'white', are not excluded economically, are privileged, and so are not oppressed. Racism is a systemic and global structure of power, Jews are powerful, and so cannot be regarded as potential victims of racism. Through this lens is seen a *singling out* of Jewish persecution, a *privileging* of Jewish persecution, and that vision comes so very close to the charge that Jewish persecution is being *invented* for ulterior motives. In this discourse, antisemitism may not be invented, but it is no longer a real *racism*. So the worry is not that the IHRA definition privileges antisemitism over other racisms but that IHRA privileges antisemitism over racism.

However you interpret this claim of the 40, it is fundamentally an 'all lives matter' response to a 'Jewish lives matter' campaign.

And what is the problem with 'all lives matter'? Simply put, it is a way of inverting, and subverting, a campaign against racism. It portrays 'Black Lives Matter' as a special pleading for black people to have more rights than white people, when really it is a campaign to address and reverse an existing injustice. The fact that 'Black Lives Matter' needs to be said is itself the indictment: it means that too often, black lives are treated as though they don't really matter as much as white lives do. It is a mobilising slogan to address that situation.

The IHRA definition of antisemitism aims to educate people about the specific

ways antisemitism comes at Jewish people today. Jewish communities ask institutions to adopt it as an act of good faith. Adopting IHRA shows that an institution is prepared to listen and to learn about how contemporary antisemitism works. If there is trouble down the line, if there are cases of antisemitism, if there are complaints, then it is there, as a framework which might help.

IHRA is not a special privileging of Jews, or of a concern with antisemitism, it is a way of taking it seriously. To say that antisemitism matters is not to say that other issues don't matter.

## **GOVERNMENT PRESSURE AND UNIVERSITY AUTONOMY**

Finally I would like to address that point about Government pressure. Universities should be autonomous institutions, managed and run as communities of scholars. They are not institutions of the state, managed and run by Governments.

I have argued here that the IHRA definition should be adopted by universities and other institutions because it helps. It is useful. The Government thinks so too.

Universities are and should be autonomous, but they are not islands which exist outside of the law and outside of the culture. They are organically linked to both the world of politics and to the worlds of civil society at every level. Ideas and movements which impact on society in general often incubate and circulate in universities – for good and also sometimes for bad.

Universities are subject to the Equality Act and to the overseeing role of the EHRC, as they are required to obey tax law, health and safety law, and every other kind of law.

The force of the 'call to reject' case against Government intervention here is that it does not really consider the fight against antisemitism to be carried out in good faith. The authors of 'call to reject' do not object to other kinds of antiracist policy being supported by Governments, only this one. So really, we are back to the central case against IHRA, which is that it is part of a Zionist and Tory conspiracy to hurt the left and to support Israel.

As we have seen, the only way that this position is sustainable is to ignore what IHRA really says. The tentative and meek set of guidelines, originally proposed by Jewish institutions and then adopted by many states and non state actors, has to be portrayed as something hugely threatening and powerful.

Behind the 'call to reject' is an assumption that something very powerful is at work here. The text may be meek and inoffensive text, the safeguards and caveats may be present, the 'could' and the 'context', but it is framed by the 40 as threatening because of the way in which 'it will be used'. The safeguards and caveats, they think, only go to demonstrate the cleverness of the plot.

The real question we should be asking ourselves is how is it that we find ourselves in the situation where opposing antisemitism is a Tory issue, and resisting attempts to oppose antisemitism is portrayed as a scholarly and left wing point of principle. Why, when it comes to antisemitism, are the Tories so easily in a position to lecture us on opposing this kind of racism? It's a question of where we went wrong, not where they went wrong.

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