

Haringey Council Meeting - Monday 24th July 2017

On Monday 24th July 2017, Haringey Council voted to adopt the International Holocaust Remembrance Alliance definition of antisemitism (IHRA) and Guidelines. Haringey Justice for Palestinians (HJFP), a group of people who work for justice for Palestinians, was opposed to this move by the Council, as were many Jewish groups and individuals.

This document examines some of the issues and gives reasons why HJFP and several Jewish groups opposed the adoption.

1. Background

The IHRA is an intergovernmental body whose stated purpose is “to place political and social leaders’ support behind the need for Holocaust education, remembrance and research both nationally and internationally”. On 26 May 2016 the IHRA made a decision (“the IHRA Decision”) to adopt what it described as a “non-legally binding working definition of antisemitism” in the following terms (**Definition**):

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

To guide IHRA in its work, the following examples were given as illustrations (**Guidelines**):

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. **However, criticism of Israel similar to that levelled against any other country cannot be regarded as antisemitic.** Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits. Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries). Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

In 2016, the House of Commons Home Affairs Select Committee (“the Select Committee”) conducted an investigation into “Antisemitism in the UK”. In its Report, published in October 2016, it considered definitions of antisemitism and concluded that:

“We broadly accept the IHRA definition, but propose two additional clarifications to ensure that freedom of speech is maintained in the context of discourse about Israel and Palestine, without allowing antisemitism to permeate any debate. **The definition should include the following statements:**

- **It is not antisemitic to criticise the Government of Israel, without additional evidence to suggest antisemitic intent.**
- **It is not antisemitic to hold the Israeli Government to the same standards as other liberal democracies, or to take a particular interest in the Israeli Government’s policies or actions, without additional evidence to suggest antisemitic intent.**

The Select Committee went on to recommend that the IHRA Definition - with its “additional caveats” - be “formally adopted by the UK Government, law enforcement agencies and all political parties, to assist them in determining whether or not an incident or discourse can be regarded as anti-Semitic”.

2. Support for the Definition by the Labour Party

The Labour Party has signed up to the Definition (and caveats), as confirmed by Iain McNicol, General Secretary of the Labour Party

Jeremy Corbyn led the Labour Party's support of the International Holocaust Remembrance Alliance's working definition of antisemitism.

The IHRA working definition reads: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

Following Jeremy's formal request that the NEC adopts this working definition of antisemitism without delay, the NEC did so on 12 December 2016.

3. Actions to oppose adoption of the IHRA definition

Concerned that the IHRA definition would be used to stifle criticism of Israel, rather than genuinely fight anti-Semitism, four groups, **Jews for Justice for Palestinians, Free Speech On Israel, Independent Jewish Voices, and Palestine Solidarity Campaign** together obtained a legal opinion on the definition from Hugh Tomlinson QC and extracts from this are quoted below.

You will see that the definition has no legal standing and action taken against someone which relies on this could in fact be construed as breaching the Human Rights Act 1998, Article 10. All public authorities have a statutory duty to respect and ensure the right to freedom of expression and assembly under this act; universities, colleges and polytechnics must, additionally, take all reasonably practicable steps to ensure 'freedom of speech within the law is secured for members, students and employees... and visiting speakers'. (Education Act 1986 S.43).

It is unfortunate that this definition has been used to justify the withdrawal of facilities from organisations wishing to draw attention to human rights abuses in the Palestinian occupied territories and, through ignorance, prevents people from raising legitimate concerns about the treatment of Palestinians by the Israeli government. Any fair-minded person will be horrified that this is happening and I hope you will stand with us in condemning this attack on free speech.

Anti-semitism in all forms is appalling and we pledge our support in fighting it. Likewise Islamophobia and the attacks on Muslims that are currently taking place in real time. The IHRA definition confuses the issue and ultimately undermines the fight against anti-semitism by conflating it with legitimate criticism of the state of Israel. You will see that the relatively clear statement that anti-semitism can be defined as an expression of hatred towards Jews is then contradicted and obscured in the definition by a series of examples, 7 of which relate to Israel.

This definition is neither fair to Palestinians nor is helpful in the fight against anti-semitism and we therefore hope you will join with us in opposing its introduction. We provide extracts below from the legal opinion but the full document can be found at <http://freespeechonisrael.org.uk/wp-content/uploads/2017/03/TomlinsonGuidanceIHRA.pdf>

4. Extracts from the legal opinion provided by Hugh Tomlinson QC

IN THE MATTER OF THE ADOPTION AND POTENTIAL APPLICATION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTI-SEMITISM

'The IHRA Definition does not purport to provide a legal definition of antisemitism. It does not have the clarity which would be required from such a definition.'

'...there is an obvious problem with the wording of the IHRA Definition. The use of language is unusual and therefore potentially confusing'.

'The IHRA Definition is contained in the two sentences ("Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.") The remainder of the decision consists...of "examples by way of illustration". These examples must be read in the light of the definition itself and cannot either expand or restrict its scope. All of them must be regarded as examples of activity which can properly be regarded as manifesting "hatred towards Jews".'

'However, in some cases, the examples do not explicitly refer to the "hatred" requirement and therefore need further elaboration'.

'It is obviously most unsatisfactory for the Government to "adopt" a definition which lacks clarity and comprehensiveness in this way. It means that there is likely to be lack of consistency in its application and a potential chilling effect on public bodies which, in the absence of definitional clarity, may seek to sanction or prohibit any conduct which has been labelled by third parties as antisemitic without applying any clear criterion of assessment'.

'No public body could properly be criticized for refusing to adopt the IHRA Definition. On the contrary, in view of the unsatisfactory nature of the IHRA Definition, it is my view that a public body should give very careful consideration to its suitability for use as a guide to decision making and should, if it is adopted, give careful guidance as to its application.'

5. Haringey – a democracy deficient council!

- One of the activists, attending the protest on Monday night, reported that, after the vote, he had spoken to several Labour councillors, all of whom were unaware that the Labour Party had supported the IHRA definition and caveats. They thought that the Labour Party was committed to the whole 500 word document. One would have thought that the Leader of the Council would have known of this, and should have informed her colleagues accordingly.
- Prior to the vote, it was reported that the IHRA motion would be "whipped", ie a call issued to a political party's elected members to ensure they attend for an important vote and vote the party line. Below is the message Lorna Reith sent to one of our members who happens to be a member of the Labour Party:

I understand that you sent an email to your three ward councillors expressing your concerns about the above. I fully understand that there are different views about this motion and the issue is a sensitive one. The motion before Council tonight was debated and agreed by the Labour Group and the usual expectation is that policy agreed by the Group is supported by all Group members at Full Council. There is no special Whip for tonight. Indeed, because there is scope for me to use my discretion on issues of conscience/religion I have been sympathetic to Group members who felt unable to support the motion. So no-one has been threatened with the loss of the Whip or with being de-selected.

Regards
Lorna

Councillor Lorna Reith (Labour), Chief Whip, Tottenham Hale ward

Three councillors walked out of the meeting to avoid what they thought was a whipped vote. Why was there this confusion?

- The IHRA motion was the last item of the agenda; though the Mayor was prepared to allow more time to discuss the motion, councillors rejected this suggestion and the motion was passed without any discussion. Link to council webcast (last 5-10 minutes).
https://haringey.public-i.tv/core/portal/webcast_interactive/285841

6. Conclusion - The leadership of Haringey Council plumbed new depths at the full council meeting on Monday night.

Clare Kober proposed a motion, seconded by the Lib Dems, to support a definition of anti-semitism written by the International Holocaust Remembrance Alliance (IHRA). The short **definition** of antisemitism is not controversial. But the motion included the much longer **guidelines** with examples on what constitutes antisemitism which conflates anti-zionism with antisemitism - under these guidelines criticism of the state of Israel is deemed to be antisemitic. This highly contested political defence of zionism did not result from a debate within the Labour Party or the community, far from it. The motion appeared on the agenda at very short notice. Requests for deputations to speak to the motion at the council meeting were turned down. The motion was the last item on the agenda and was nodded through without any debate at all.

There should be a full debate about antisemitism, Islamophobia and racism in general - the more, the better. The motion to the council had nothing to do with conducting that debate. It was clearly proposed to stir the pot about manufactured reports about antisemitism in the Labour Party, to have another go at the pro-Palestinian movement and Jeremy Corbyn in particular. It was a cynical manoeuvre to set back the cause of Palestine and, in doing so, brings genuine attempts to combat antisemitism into disrepute.

As well as political groups, the protest was attended by representatives from local mosques, angered by the lack of consultation and debate.

One hundred years ago the Balfour Declaration sowed the seeds for a century of conflict. We, in Britain, have a right and a responsibility to stand in solidarity with the people of Palestine whose lives have been made a misery by 65 years of Israeli occupation, illegal settlements, the blockade of Gaza and collective punishment. Zionism is a racist ideology in which citizenship rights are based on ethnic origin and religious beliefs, and has led to the creation of a new apartheid state. Haringey Justice for Palestinians will continue our fight for solidarity with Palestine and we are confident that the vast majority of Labour Party members agree with us. We look forward to the election of a council leadership which will genuinely oppose antisemitism, Islamophobia and all forms of racism - and stand up for justice for the Palestinians.

Criticism of the state of Israel is not antisemitic.

Freedom for Palestine.

Media Group, Haringey Justice for Palestinians

Links:

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F/B Haringey Justice for Palestinians

Free Speech on Israel

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