

YOU SHOULD BACK THE NEC CODE OF CONDUCT ON ANTISEMITISM

Because it:

- Upholds freedom of speech under the Human Rights Act
- Commits the Party to take action against all forms of antisemitism with full disciplinary powers
- Includes the full 38 words of IHRA* definition of antisemitism
- Makes clear distinction between antisemitism and criticism of Israel
- Affirms it is not racist to assess the conduct of Israel against international law or the standards of democracy, where there is proper evidence and it is not a cover for antisemitism
- Permits free speech on political ideology of Zionism that is not antisemitic
- All allegations must be taken seriously, independently investigated & assessed and prosecuted where there are grounds
- Is rigorous, clearly worded and will stand up in court.

VARIOUS ALTERNATIVES TO THE NEC CODE OF CONDUCT HAVE BEEN SUGGESTED:

1. That the IHRA Definition is adopted in full, with all its examples, to stand alongside the NEC Code of Conduct on Antisemitism.

The NEC Code differs from some of the examples of the IHRA Definition. These differences are very significant because they ensure freedom of speech on Israel and Zionism where such speech is not antisemitic.

This means the IHRA Definition and the NEC Code are not compatible in significant areas.

For this reason those who are advocating the IHRA Definition will not accept the Code as legitimate qualification of the IHRA Definition, or as guidance in its application. They will cite it as a further example of recalcitrance and of entrenched antisemitism in the Party. Adoption of the IHRA Definition would be a major success for its advocates, once adopted it would be very difficult to rescind, and the attack would not diminish but, spurred on, advance to the next step, to ditch the NEC Code.

2. That the IHRA Definition is adopted in full, but with the addition of the caveats proposed by the House of Commons Select Committee on Antisemitism.

Legal advice is that they would give the appearance of ensuring free speech, would act as a gloss, while doing nothing of the sort. The reason is that they refer to the legitimacy of criticism of the Israeli government. However, most criticism is focussed on aspects of the Israeli state, eg. The Nation State Law, structural discrimination against Palestinians characterised as apartheid, institutional discrimination and racism within Israel.

3. That the IHRA Definition is adopted in full minus just half of example 'g', so as to read:

“Denying the Jewish people their right to self-determination”.

In place of:

“Denying the Jewish people their right to self-determination, eg. by claiming that a state of Israel is a racist enterprise.”

Those advocating the IHRA Definition have made it clear that they will not accept any redrafting of the definition not done by themselves, the Jewish establishment. This half of point 'g' is a crucial one; it is not conceivable that it could be accepted as legitimate to describe 'a' (or the) state of Israel, at any time in the past, the present or the future, as a racist enterprise. This would strike at the Nation State Basic Law and at the core of Israeli society.

WHY THE IHRA DEFINITION WITH ALL IT'S EXAMPLES OF ANTISEMITISM SHOULD NOT BE ACCEPTED

○ THE PRIMARY PURPOSE OF THE IHRA DEFINITION:

The IHRA definition is now the key tool in the attack on Jeremy Corbyn. This is an attack on the whole socialist project of the LP, and thus on the prospects of the millions of people who have been driven into or further down into poverty by successive governments. It is an attack on the hope of millions.

The IHRA definition, including the examples, facilitates virtually unanswerable accusations of antisemitism which have the function of closing down all fundamental criticisms of the oppression of the Palestinians. In doing so it negates their very humanity, just as the Nation State law formalises their subjugation.

The recent joint article on the front pages of the Jewish newspapers made the objective clear. Had the full IHRA definition with examples relating to Israel been approved, hundreds, if not thousands, of Labour and Momentum members would need to be expelled.

You can be sure they were thinking activist Corbyn supporters.

The maintenance of the narrative that Israel is just like any other imperfect democracy is to compound the negation of Palestinian identity.

BUT THIS IHRA DEFINITION HAS ADDITIONAL CONSEQUENCES:

There are attempts to roll out the IHRA Definition across Government, Local Authorities, political parties, universities, other educational establishments and the European Parliament (already with partial, worrying success).

The objective is to establish it as law through the back door. These institutions account for a major part of most of our lives. There have already been examples of events restricted, or closed down such as a weekend university law conference. For example, one person suspended from the LP for antisemitism has lost their job even though their LP case was still outstanding and they were not employed by the LP.

Its chilling effect on free speech is already being felt, and if adopted will reach deep into people's lives.

And more, by setting a precedent, it would open the door to further restrictions on free speech through other following suit, either inside or outside of the Party.

It is our belief that those pushing the IHRA definition are not interested in any negotiated compromise because they do not want any of its powers diminished, because they will not entertain that anyone other than representatives of the Jewish establishment have the right to define antisemitism, and primarily because their objective is to bring down Corbyn.

For example the Jewish Labour Movement** sent a letter to the General Secretary, Jenny Formby saying they will not participate in talks on adjusting the NEC Code unless their four demands are met. Their demands are: adopting the IHRA definition, responding to formal complaints about NEC member Peter Willsman and Labour MP Chris Williamson, and ending a disciplinary investigation into MP Ian Austin.

It therefore follows that a strategy floated by some that the IHRA Definition could be adopted alongside the NEC Code of Conduct, their incompatibility notwithstanding, would not resolve the conflict: the IHRA Definition would be installed, and the attack would then shift to the NEC Code as the main target, as the exemplar of antisemitism in the Party.

The Labour Party is a test case for the IHRA Definition. We must ensure it fails the test of freedom.

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<https://www.independent.co.uk/news/uk/politics/jewish-labour-party-antisemitism-row-jeremy-corbyn-munich-movement-ihra-a8491376.html>