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Anti-Semitism on Campus

Summary

Lesley's presentation considered the role of the university historically in promoting classical anti-Semitism and its current role in promoting contemporary anti-Semitism. She made the connection between anti-Zionist rhetoric and anti-Semitic hate speech. She argued that the proliferation of anti-Zionist rhetoric on UK campuses in recent years, emboldened by the UCU's annual calls for discriminatory measures against Israel, cannot be supported by the 'free speech' or 'academic freedom' justification, and that the university authorities have both a legal and moral duty to prohibit it. In this context she considered the documented harms to minority students of on-campus hate speech and the legislative context of hate speech with particular reference to hostile environment harassment. She also looked at the ways in which anti-Zionist rhetoric on campus flouts university Equality and Diversity and anti-harassment policies.



Anti-Semitism on Campus



A Modern Perspective

Structure

- ❑ The university and classical anti-Semitism
- ❑ The university and contemporary anti-Semitism
- ❑ Some phenomenological experiences
- ❑ Discussion and Conclusion

Anti-Semitism on Campus: Nothing New

- ❑ Wilhelm Marr (1819-1904): attempted to put traditional religion based hatred of Jews on a scientific footing - appeal to modernity's preference for epistemological criteria.
- ❑ Firm theoretical basis for anti-Semitic discourses – religious justification replaced by an objective “scientific” justification.
- ❑ “Aryan Science” - racial theories of late 19th and early 20th century made their mark on universities and faculties.
- ❑ Academia played an important role in justifying Nazi ideology and helping to implement it.

Anti-Semitism on Campus: Nothing Unusual

- Academics, while striving to approach an objective view of the world, are always part of society at large.
- “Academic freedom” – universities are a “special market place of ideas” and therefore *all* expression should be allowed, even if offensive.

“It is one of the bitter ironies of the dialectics of modernity that the very sphere of science and academia, the purpose of which is to enlighten mankind, has provided intellectual cover to modern Jew-hatred”.

(Yves Pallade, 2009)

Anti-Zionist Expression on Campus: Free Speech or Hate Speech?

- Anti-Zionist expression: working definition

“The portrayal of Israel as a state that is fundamentally negatively distinct from all others, which therefore has no right to exist.” (Report of the Berlin Technical University’s Centre for Research on Anti-Semitism 2002, in “Manifestations of Anti-Semitism in the European Union”, drafted for the EUMC.)

- Hate speech: working definition

“Speech generating fear on the part of the individual or group of physical harm (immediately or in the future), or constituting an attack on personality, including core commitments and identity”.
(Various).

Anti-Zionist Expression: The Free Speech Justification

- Consequentialist values of free speech – “the market place of ideas” / truth / democracy
- Non-consequentialist values of free speech – individual autonomy / self-fulfilment / moral progress / justice / equality
- All speech allowed unless legally proscribed but note use of Nazi terminology to refer to Israel may amount to incitement, *Joint Report of the European Institute for the Study of Contemporary Anti-Semitism (EISCA) and Department for Communities and Local Government 2009* (HO, ACPO, CPS to prepare guidance for police).

Anti-Zionist Expression on Campus: The Academic Freedom Justification

- University as a “special market place of ideas” – mission is to promote knowledge and seek the truth – requires free and uninhibited exchange of thought and expression, even if offensive.
- “Equality and Diversity” policies – other important goals of the university: to promote racial, sexual, religious and disability equality, to ensure equal opportunity, and to protect individuals from discrimination ~ broad anti-harassment policies ~ *the ends of a university are harmed by particular forms of expression therefore control of expression is justified.*
(see SHU policies)

Sheffield Hallam University Equality and Diversity Policy

- “Race Equality Policy

- to eliminate unlawful racial discrimination
- to promote equality of opportunity; and
- to promote good relations between people of different racial groups”.

Sheffield Hallam University Equality and Diversity Policy

□ Race and Religion Diversity Policy

“The university values the principles of equal treatment and respect for individual differences and is committed to understanding, respecting, and using diversity: it is determined to ensure that:

- it provides a supportive and inclusive learning, working and social environment in which everyone feels that they are valued and can work to their potential
- all students and staff experience fairness and equity of treatment, and are treated with dignity and respect.
- the opportunities it provides are open to all.

Diversity is critical to the achievement of the University’s strategic aims and long-term success”.

Sheffield Hallam University Anti-Harassment Policy

- right to be treated with dignity and respect
- respect for individual differences
- to uphold equal treatment
- to create a culture in which everyone feels valued and able to fulfil their potential

“examples of behaviours which may constitutes harassment”

- offensive language, behaviour or comments
- transmission of racist or otherwise offensive material or messages **via electronic media** or mobile phone

Anti-Zionist Expression as Hate Speech and Hostility

- Can anti-Zionist expression be categorised as hate speech? If so there is justification for control in the academic context.
- Designation as hate speech also brings it within the legislative context of the Race Relations Act (Amendment) Regulations 2003 / Equality Bill 2008/9 imposing a **legal duty** on university authorities to prohibit it.

Anti-Zionist Expression as Hate Speech

Generally

- ❑ Anti-Zionism is an ideology that seeks to eliminate Israel as a Jewish state
- ❑ Anti-Zionists try to achieve their aims by delegitimizing Israel through vilification and demonization
- ❑ “New-anti-Semitism”: whereas the “old” anti-Semite wanted to rid the world of the Jew – *Judenrein* – the “new” anti-Semite wants to rid the world of the Jewish State - *Judenstaatrein*

Anti-Zionist Expression as Hate Speech

- Anti-Semites target and single out Israel because it is perceived as a “*Jewish collectivity*”, or the “*Uber-Jew*” or the *Jew among nations*”.
- Re-direction of irrational hatred away from the Jewish individual towards the Jewish collective
- “Jews have been demonized for millennia and defined as the source of all evil...have been presented as being inhuman, and this has laid the ideological basis for their murder, culminating in the Holocaust. A similar defamatory approach is now being applied to Israel, aiming at its elimination as the Jewish state” (Manfred Gerstenfeld).

Anti-Zionist Expression as Hate Speech

- Denies Jews the fundamental right to self-determination and a national consciousness and to have that expressed in the existence of a secure state.
- Various European studies show that the campaign to demonize Israel has been accompanied by a parallel increase in anti-Semitic prejudices, resulting in concomitant increase in physical attacks against Jews (including murder), insults directed at Jews, and a rise in vandalism against Jewish institutions
- Israel is a strong symbol of Jewish identity (JPRI 1995)
- Zionism is a core Jewish belief.

The Meaning of Hate Speech

- Shiell: “propaganda”, “biased speech”, “racist speech”, “sexist speech”, “discriminatory speech”, and “misethnic speech”.
- Haupt: “offensive speech” which targets a group that has historically been discriminated against
- Delgado & Stefancic: “discriminatory expression, overt and subtle, direct or indirect, single or repeated, backed by authority and power or not, targeted at an individual, small group, or a whole class of people, spoken or manifested in a symbol or conduct”.

All involve the idea of ‘offensive speech’ aimed at a minority individual or group.

Concrete examples of the “new anti-Semitism” (EUMC ‘Working Definition’ 2005)

- ‘Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of Israel is a racist endeavour.
- Applying double standards by requiring of [Israel] a behaviour not expected or demanded of any other democratic nation.
- Using symbols and images associated with classic anti-Semitism (e.g. claims of Jews killing Jesus or the blood libel) to characterize Israel or Israelis
- Drawing comparisons of Israeli policy to that of Nazis
- Holding Jews collectively responsible for the actions of the State of Israel
- However, criticism of Israel similar to that levelled against any other country cannot be regarded as anti-Semitic’.

Test

- The 3 – D test: ‘demonization’, ‘delegitimation’ and ‘double standards’

These are the three facts of anti-Zionism and they constitutes the “new anti-Semitism”

- The London Conference on Combating Anti-Semitism, February 2009 ~ ‘The London Declaration’
- Strong authority and consensus for the view that anti-Zionist expression *is* offensive speech; it is defined as the ‘new anti-Semitism’

Arguments for Regulating Hate Speech on Campus

- ❑ **Harm** – humiliation and “psychic assault” – inconsistent with the university’s special responsibility to foster student growth and well-being. Equality and Diversity and Anti-Harassment policies.

“Tolerance of hate speech is not tolerance borne by the community at large. Rather it is a psychic tax imposed on those least able to pay” (Mari Matsuda).

- physical / psychic harm distinction (Delgado and Stefancic)
- violation of equal respect (Altman)

Arguments for Regulating Hate Speech on Campus

- **Hostile environment** – RRA(A)R 2003/Equality / Equality Bill
3A-(1) A person subjects another to harassment ...where, on the grounds of race, ethnic or national origins, he engages in unwanted conduct which has the purpose or effect of –
 - (a) violating that other person's dignity, or
 - (b) creating an intimidating, **hostile**, degrading or offensive environment for him

(2) conduct shall be regarded as having the effect specified in paragraph (a) or (b) of subsection (1) only if, having regards to all the circumstances, including in particular the perception of that other person, it should reasonably be considered a having that effect.

Courts: reasonableness - *context, severity, frequency*

Equality Bill: reasonableness - *freedom of expression, academic freedom*

The Phenomenological Structure of Hostile Environment Harassment

- **Recognition that the minority voice needs to be heard in order to understand discrimination.**

“Does one have to have a kindred experience of discrimination in order to recognise inequality in the treatment of others? It helps, but so does talking with others, asking when differential treatment is injurious and when it’s necessary, or preferred by those who are treated “differently”...you can’t know, sitting alone at your typewriter, whether what you or others believe fits the experience of people unlike yourself. You have to talk with them and learn from them”.

Martha Minow (1989)

Phenomenological Structure of Hostile Environment Harassment

SHU January – April 2009

- Free Gaza lecture, 15:00 – 17:00, 28 January 2009
- Free Gaza Student Occupation 29 Jan – 16 March 2009
- Free Gaza Occupation Blog (extreme rhetoric)
- Unsolicited PSC, STWC, UCU e-mails
- On-campus support for Hamas (“we are all Hamas now”)
- Use of Jews/ Israelis to support anti-Zionist position.

- Official responses ~ police; university

The New Anti-Semitism in British Academia

Discussion and Conclusion

- see handout for examples since 2002
- Universities as spaces where anti-Zionism is increasingly 'authorised'. Legitimated by the UCU and some academics. Is this an abuse of "academic freedom"?
- Importance of internet communication as part of the working and study environment; cyberspace legitimating / authorising extreme rhetoric
- Hate speech as harassment within the RRA(A)R / Equality Bill
- Adequacy of legislation(?) but unwillingness of universities to apply it? Why?
- Failure of universities to follow and apply their own Equality & Diversity and Anti-Harassment policies – why?