

MOTION ON ANTI-SEMITISM POLICY FOR LABOUR MEMBER'S CODE OF CONDUCT

1. This CLP notes the following.

1.1 That the NEC Code of Conduct on Anti-Semitism agreed in July 2018:

1. states emphatically "Labour is an anti-racist party. Anti-Semitism is racism. It is unacceptable in our Party and in wider society.";
2. fully incorporates the 38-word IHRA definition of anti-Semitism and clarifies the controversial aspects of guidance notes attached to it;
3. emphasises the vital distinction between (i) anti-Semitism, properly understood as hostility or hatred directed at Jews and (ii) legitimate criticism of the state of Israel or the ideology of Zionism;
4. commits to protecting freedom of expression, as guaranteed by Article 10 of the Human Rights Act 1998, including contentious opinions about Israel and its policies, and about political strategies seeking to influence them.

1.2 The NEC at its meeting on 4th September agreed to adopt all 11 "examples" associated with the IHRA definition as additions to the July Code¹, but the final Code is still being consulted on and Jeremy Corbyn's statement² to the 4th September NEC is being considered as part of that consultation, including as part of the democracy review.

The exact Party public announcement following the 4th September meeting was the following. "The NEC has today adopted all of the IHRA examples of antisemitism, in addition to the IHRA definition which Labour adopted in 2016, alongside a statement which ensures this will not in any way undermine freedom of expression on Israel or the rights of Palestinians. The NEC welcomed Jeremy Corbyn's statement to the meeting about action against antisemitism, solidarity with the Jewish community and protection of Palestinian rights, as an important contribution to the consultation on Labour's code of conduct."

2. This CLP believes that:

2.1 while the July NEC Code gives clearer and stronger guidance than previous codes, Jewish members of the Party and the community were not sufficiently consulted during the process;

¹ On the 4th Sept, there were four key examples incorporated into the Party's definition of anti-Semitism: 1) Accusing Jewish citizens of being more loyal to Israel; 2) Drawing comparisons of contemporary Israeli policy to that of the Nazis; 3) Applying double standards to Israel by requiring of it a behaviour not expected or demanded of any other democratic nation; and 4) 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. It is this last example that this motion seeks to address.

² Corbyn proposed a statement which included "It should not be regarded as anti-Semitic to describe Israel, its policies or the circumstances around its foundation as racist because of their discriminatory impact, or to support another settlement of the Israel-Palestine conflict." Jeremy Corbyn's addition would have ensured that support for the Palestinians was not characterised as anti-Semitism. It would have allowed members to call the founding of the Israeli state racist.

The NEC did not approve this, but agreed a weaker version known as the "Freedom of Expression" clause. This included: "The adoption of the IHRA does not undermine freedom of expression on the Israel – Palestine conflict. Nor can it in any way undermine the rights of Palestinians."

2.2 portraying British Jews as one monolithic bloc all determined to police what may or may not be said about Israel and its treatment of the Palestinians is dangerous and wrong, and such a portrayal is anti-Semitic.

3. This CLP, therefore, calls on the NEC to:

3.1 work with Jeremy Corbyn in order to ensure that his 4th September statement is incorporated into the Code of Conduct in order to ensure that the inclusion of the additional IHRA examples does not impair the July Code protections on freedom of expression, including contentious opinions about Israel, its policies, and about political strategies seeking to influence them;

3.2 include a broad range of Jewish opinion in any further consultations;

3.3 continue to support political education on anti-Semitism; and

3.4 mobilise to fight the alarming rise of racism of all kinds in the UK and abroad.

Notes to the motion

A. The Working Definition of Anti-Semitism, as originally drafted by U.S. attorney Kenneth S. Stern, was adopted by the International Holocaust Remembrance Alliance (IHRA) on 26 May, 2016.

B. The shortcomings of the IHRA document have subsequently been the subject of multiple critical comments from Jewish scholars and commentators. This includes Kenneth Stern, who testified to US Congress on 7th November 2017 that his original definition had been used for an entirely different purpose to that for which it had been designed. According to Stern it had originally been designed as a “working definition” for the purpose of trying to standardise data collection about the incidence of anti-Semitic hate crime in different countries. It had never been intended that it be used as a legal or regulatory device to curb academic or political free speech.

C. The House of Commons Home Office Select Committee Report “Anti-Semitism in the UK” of 13 October 2016 proposed amendments to the IHRA document “to ensure that freedom of speech is maintained in the context of discourse about Israel and Palestine”.

D. “The Global Jewish Statement” was released to the media in July 2018 by 40 Jewish organisations in 15 countries opposed to the IHRA document for its negative impact on a clear understanding of anti-Semitism and its role in suppressing solidarity with the Palestinian people.

E. The MacPherson principle (derived from the 1999 MacPherson Report on the Stephen Lawrence inquiry) specifically does not give members of an ethnic or religious group the sole right to determine what is or is not racist conduct, i.e. a perception of racist behaviour is not sufficient to establish that such behaviour has actually occurred but must be supported with independent evidence of racist intent.

F. The Labour Party member’s rulebook – which contains all of Labour’s codes of conduct – can be found at <http://labour.org.uk/wp-content/uploads/2018/04/2018-RULE-BOOK.pdf> Anti-Semitism is presently covered on page 99; it will be revised to include the IHRA definition once the consultation is concluded.