

INQUIRY INTO ANTI-VILIFICATION PROTECTIONS

Organisation: Australian Jewish Association

Date Received: 12 February 2020



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Australian Jewish Association is a Not-for-profit Community Organisation

Website: jewishassociation.org.au

Telephone: 1300 AU JEWS (1300 285397)

Postal: PO Box 333 St Leonards NSW 2065

Email: office@jewishassociation.org.au

Ms Yuki Simmonds,
Committee Manager,
Legal and Social Issues Committee,
Legislative Assembly, Parliament of Victoria

12 February, 2020

Re: Inquiry into Anti-Vilification Protections

The Australian Jewish Association hereby makes this submission to the Victorian Legislative Assembly Inquiry into Anti-Vilification Protections. This submission contains:

- A brief overview of the Australian Jewish Association (AJA)
- A thumbnail sketch of antisemitism
- The International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, the most widely accepted definition which is
- Comments on the *Racial and Religious Tolerance Act 2001 (VIC) (the Act)*
- Superior approaches to the subject

Examples of antisemitic vilification in Victoria last year including well publicised instances in public schools, highlighted how poorly equipped the schools generally, the school principals and the Education Department were in managing the incidents. A question in a year 12 ACHPER trial examination was based on false assumptions which also crossed the antisemitism definitional line.

The primary action which AJA requests, despite our misgivings about *the Act*, is the formal adoption of the IHRA definition so that it should be a framework and a tool for recognising and dealing with antisemitism. The US, UK and 17 other countries have adopted this definition as of December 2019. Australia became a full member of the IHRA in June 2019 and we hope that all Australian domestic jurisdictions will also do so.

While there is no “magic bullet” for antisemitism, it is noteworthy that former Harvard Professor of Law Alan Dershowitz described the application of the IHRA definition to the US education sector, with the possibility of financial sanctions for non-compliance, as “a game changer”.

In addition to this submission, the AJA will advocate with Commonwealth, state and territory ministers of education for the introduction of a similar policy into Australian universities and schools.

Sincerely,

Dr David Adler, President.



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12 February 2020

The Australian Jewish Association

Submission to the Victorian Legislative Assembly Legal and Social Issues Committee Inquiry into Anti-Vilification Protections

1) The Australian Jewish Association (AJA)

- 1.1 The AJA is a membership-based Australian organisation established in 2017 to promote authentic Jewish values and conservative Australian democratic values. AJA has grown rapidly to be the largest Jewish organisation in Australia on social media.
- 1.2 By authentic Jewish values the AJA means having regard in policy formulation to principles of Torah. This is not meant to impose any requirement on how members conduct their personal lives. The organisation welcomes members of all levels of observance.
- 1.3 By conservative Australian democratic values the AJA means prioritising policies which support individual freedom, economic liberty, limited government, a strong national defence and respect for rule of Australian law.
- 1.4 Support for the sovereign and independent State of Israel as the national homeland of the Jewish people is a central pillar of the AJA's worldview.
- 1.5 In terms of tangible Middle East policy the AJA advances the following propositions:
 - a) Jews are endowed with an inalienable right to live in security and peace within the sovereign Jewish State of Israel;
 - b) Israel's legal status as a Jewish State is entirely compatible with democratic principles that guarantee civic equality to all its citizens regardless of ethnicity and religious belief;

- c) Jerusalem is the eternal and indivisible capital of the Jewish State of Israel;
- d) The Land of Israel includes the traditional Jewish homelands of Judea and Samaria;
- e) Compelling interests of national security justify and validate the incorporation of the Golan into the State of Israel.

2 Antisemitism – A Thumbnail Sketch

- 2.1 Antisemitism is a protean form of racial bigotry that has emerged in different guises throughout history. The word 'anti-Semitism' (anti-Semitismus) itself was coined in 1879 by German pamphleteer Wilhelm Marr who felt that the term then in use – *Judenhaß* (Judenhasse) – did not convey sufficient anti-Jewish belligerence.
- 2.2 Antisemitism has been recorded since biblical times. During the Exodus from Egypt the Jewish people were attacked by the nation of Amalek for no apparent reason. We learn that Amalek represents the irrational hatred of Jews at a spiritual level. The 1st century CE Roman historian Tacitus described the Jews in extremely negative terms in Book 5 of his *Histories*.
- 2.3 From the early Christian era until the 19th century, antisemitism was primarily religious in nature. Christian religious authorities – Orthodox, Catholic and Protestant – preached that the Jews forfeited their 'chosen by G-d' status by rejecting Jesus and that anti-Jewish persecution was divinely ordained as a consequence. This is known by scholars of religion as the 'Doctrine of Supersession'.
- 2.4 As the West became more secular during the 19th century, antisemitism morphed from religious to pseudo-scientific. The theories of Charles Darwin were warped into racially based arguments why Jews must be despised. Intellectuals like Houston Stuart Chamberlain, Édouard Drumont and Heinrich von Treitschke argued that uniquely Jewish racial traits justified hatred towards the Jews. This 'racial' form antisemitism culminated during the Second World War in the Shoah/Holocaust and its murdered six million.
- 2.5 Antisemitism was also rife in Tsarist Russia. Jews were confined by law to the 'Pale of Settlement', a region that stretched across from Lithuania to Ukraine. In addition to legal discrimination by the Imperial Russian government, Jewish communities were repeatedly victimised by riots – called pogroms – that in the worst instances claimed thousands of lives. Anti-Jewish persecution continued under the Soviet Union. A series of Jewish show trials took place during the late-1940s/early-1950s

and only the death of Stalin forestalled a planned pogrom against Jewish communities throughout the USSR. Later, Soviet authorities outlawed circumcision and Torah study.

- 2.6 For many centuries, Jews living in the Islamic Middle East were subject to a demeaning and economically onerous regime of discrimination that was mandated by Sharia Law, dhimmitude. The 19th century saw the importation of European anti-Jewish tropes into the Arab world, generating incidents of mass violence such as the 'Damascus Blood Libel' of 1840 in which Jews were accused of ritual murder. A century later, a wave of deadly antisemitic violence swept through the Middle East forcing 800,000 Jews to flee their homes, most of whom settled in Israel.
- 2.7 As the Second World War faded in memory, a new form of antisemitism emerged particularly within the political left of Western democracies. Abandoning their early sentiments of support towards Zionism, after the 1967 war Leftists became ever more harshly critical towards Israel and the cause of Jewish national self-determination.
- 2.8 As primarily an anti-Israel phenomenon, the new antisemitism is distinguished from reasoned criticism of specific Israeli government policies or facets of Israeli society when it assumes one or more of the following characteristics:
 - a) It denies the existence of Jewish nationhood through erroneous assertions that:
 - the Jews are solely a religious community devoid of a common ethno-national identity;
 - today's Jews cannot trace their ethno-national lineage to the Biblical people of Israel and Land of Israel;
 - all historical, biblical and archaeological evidence supporting a Jewish link to the Land of Israel is fabricated and counterfeit.
 - b) It is hostile to Zionism, denying the legitimate right of the Jewish people to national sovereignty while supporting self-determination for other ethno-national communities;
 - c) It advocates the adoption of policies that would bring about the erasure of Israel's Jewish demographic character and composition;
 - d) It applies double standards to assail Israeli actions and policies while ignoring, excusing or extenuating similar or more extreme actions and policies in other parts of the world;

- e) It disseminates patent untruths in order to justify polemical attacks against Zionism and Israel;
- f) It assumes a hyper-critical stance towards Israel's national security needs, ignoring or diminishing the significance of military and terrorist threats from surrounding states and non-state actors.

2.9 It is noteworthy that anti-Zionist sentiments expressed by Leftist critics of Israel often bleed into overtly anti-Jewish comments or pejorative tropes about Jews.¹

2.10 Over recent years, anti-Semitism has become more pronounced within Western nations, as evidenced by:

- a) Prominent politicians and cultural figures uttering tropes of classic anti-Semitism or new anti-Semitism, or an ultra-toxic admixture of the two;²
- b) A ubiquitous campaign within academia and on university campuses to demonise both Zionism and student/faculty supporters of Israel;³
- c) A campaign of economic warfare waged against Israel through 'Boycott, Divestment & Sanctions' (BDS) that justifies itself through the same spurious rationales cited in paragraph 2.7. These same advocates of BDS show little interest in exerting economic pressure on bona fide war criminals and abusers of individual rights in other nations;
- d) A hyper-critical media stance towards Israel that is reliant on the rationales that appear above in paragraph 2.7;
- e) Acts of deadly violence both by white supremacist believers in classic racial antisemitism and by jihadi Muslim believers in the new antisemitism.

2.11 In Australia there has recently been a significant rise in antisemitic incidents including Nazi type graffiti and a series of verbal and physical attacks against Jewish students attending universities and state or non-Jewish private schools throughout Australia.

3 The International Holocaust Remembrance Alliance (IHRA) Definition of anti-Semitism

3.1 The IHRA is a collaborative network of non-government organisations formed in 1994 to promote Shoah-related educational initiatives as a means

¹ Appendix 1

² Appendix 2

³ Appendix 3

of combating all forms of bigotry. Established at the behest of Swedish Prime Minister Göran Persson, the IHRA now consists of 34-member countries who work throughout the globe to combat bigotry by promoting the inalienable rights and dignity of all persons.⁴

- 3.2 In May 2016, the IHRA Plenary adopted a *Working Definition of Anti-Semitism* with the goal of building an international consensus on this issue. Since that time, multiple nations have issued statements, passed parliamentary motions or issued executive orders predicated on the IHRA *Working 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 may serve as illustrations:

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, considering 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.

⁴ Appendix 4

- 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 a 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.

4 The Victorian Racial and Religious Tolerance Act 2001

- 4.1 The AJA views freedom of speech as an inalienable individual right that is an indispensable principle of democracy. We endorse the sentiments of J.S. Mill who argued in his famous tract *On Liberty* that the best antidote to bad speech is more and better speech. To this end, the AJA has advocated for the repeal of Section 18c of the *Racial Discrimination Act 1975* (Cwth).
- 4.2 As such, the AJA cannot support the Victorian *Racial and Religious Tolerance Act 2001* (henceforth *The Act*) in its current form, instead believing that it should be substantially curtailed in scope.

- 4.3 It is an affront to democratic principles that Section 8 of *The Act* legalises the incarceration of persons for the expression of opinions with no proximate link to a violent breach of the peace. The potential for abuse arising from the over-broad scope of this power should distress all Victorians who value freedom of expression. In the view of the AJA, the government's authority to penalise speech should explicitly be limited to instances of direct incitement to unlawful violence.
- 4.4 The AJA is concerned about the civil liberties implications arising from the amorphous language contained within Section 8 of the Act:
- a) Section 8 defines "serious contempt" and "severe ridicule" arising from racial or religious animus are unlawful acts punishable by fine and imprisonment. But presumably, less-than-serious contempt and less than severe ridicule remain lawful.
 - b) The inherently subjective nature of the distinction between 'serious/less than serious' and 'severe/less than severe' is invidious and antithetical to confidence in the impartial administration of justice.
- 4.5 The AJA is disturbed by the obvious non sequitur between Section 9 and Section 11 of the Act. Section 9 declares the irrelevance of motive, while Section 11 exempts public conduct that is conducted "in good faith." But what is "good faith" if not an expression of motive? The mutual contradiction between these sections of undermines the coherence of *The Act*, and thus its credibility.

5 Superior Approaches

- 5.1 While the AJA opposes the punitive restrictions on freedom of expression through coercive state power, we believe that it is legitimate for government to condition the allocation of taxpayer dollars to government and non-government entities on explicit behavioural standards. As such, it the AJA's view that anti-Semitism, as defined by the IHRA, should constitute a disqualifier in the allocation of government grant funding and eligibility for government contracts.

- 5.2 *US Presidential Executive Order on Combating Anti-Semitism*⁵

This is approach forms the core of the executive order promulgated by the President of the United States on 11 December 2019:

- a) It explicitly applies civil rights protections to Jews under the "race, color and national origin" provisions of Title VI of the *US Civil Rights Act 1964*;

⁵ Appendix 5

- b) It states that the IHRA definition of anti-Semitism will serve as the official benchmark for the determination of what does and does not constitute actionable anti-Jewish bigotry in the view of the US government;
- c) It explicitly notes the rising tide of anti-Semitism in schools and on university campuses throughout the United States;
- d) It notes that Title VI of the Civil Rights Act “prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance.”

This Presidential Executive Order protects the American Jewish community from institutional bigotry while respecting the robust free speech protections that are guaranteed by the United States Constitution. In the view of the AJA, this constitutes a far preferable approach than provisions of Victoria’s *Racial and Religious Tolerance Act 2001* that are inimical to freedom of expression.

5.3 Great Britain

A similar IHRA-based approach has been adopted in the United Kingdom, where:

- a) In the House of Commons, 641 of 650 Members formally endorsed the *IHRA Working Definition of Anti-Semitism*;⁶
- b) Roughly 700 parliamentary candidates from all political parties endorsed the *IHRA Working Definition* at the invitation of the Antisemitism Policy Trust.⁷
- c) British local councils and institutions of higher education could be subject to government funding cuts if they refuse to endorse the *IHRA Working Definition*.⁸

5.4 In the event the Victorian Parliament maintains its support for a punitive approach to bigoted speech, the AJA believes that New South Wales legislation presents a more free-speech-friendly model that is preferable.

5.5 Section 93Z of the *Crimes Act 1900 (NSW)* constitutes a superior approach that preserves freedom of expression by confining criminal sanctions to acts that “threatens or incites violence”. This approach balances freedom of speech and community security considerations in a manner that does not infringe excessively on the civil liberties of groups and individuals.

6 Summation

6.1 The AJA does not favour the punitive approach towards bigotry that is now in force through the *Racial and Religious Tolerance Act 2001 (VIC)*.

⁶ Appendix 6

⁷ *ibid*

⁸ Appendix 7

- 6.2 As an alternative, the **AJA supports the adoption of the IHRA definition of antisemitism and it's application to educational institutions** in the same manner implemented by the U.S. *President's Executive Order on Combatting Anti-Semitism* and the British Government. This approach relies on the government's appropriations and contracting authority to promote tolerance rather than using the blunt instrument of state coercive power as a tool to suppress freedom of speech that is essential to a healthy democracy.

Appendix 1

06/02/2020

The rise of anti-Semitism on the left - The Washington Post

The Washington Post

Democracy Dies in Darkness

The rise of anti-Semitism on the left

By **Marc A. Thiessen**

August 14, 2019 at 4:58 a.m. GMT+10

OSWIECIM, POLAND — Recently, the State Department revised its definition of anti-Semitism to include “drawing comparisons of contemporary Israeli policy to that of the Nazis” — an apparent response to the rise of the anti-Israel BDS (Boycott, Divest and Sanctions) movement whose supporters routinely make such comparisons. That is a good thing. Just a few days ago, I sat in the former SS headquarters of the Auschwitz concentration camp with Piotr Cywiński, director of the Auschwitz-Birkenau State Museum. Speaking beside a window overlooking the gas chamber and crematorium where countless souls perished, he explained that there is no difference between hatred of Israel and hatred for Jews.

“It’s the same old story with some different words,” he said. “If you are speaking with somebody who is defending some anti-Israeli ideologies, maybe not in the first minute, maybe not in the second minute, but in the third minute you will find that the same old story accusing Jews of every bad thing in the world. For me, that’s very, very clear. I never saw any anti-Israeli theory that was not anti-Semitic.”

In an interview, my colleague Danielle Pletka and I asked Cywiński about politicians such as Reps. Ilhan Omar (D-Minn.) and Rashida Tlaib (D-Mich.) who recently said that boycotting Israel is no different from boycotting Nazi Germany.

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1/6

AD

“I can’t see why people feel free to compare Israel to the Nazis,” Cywiński said. “I don’t want to comment on it on an intellectual level. It’s simply an insult. It’s an insult to the victims and an insult to the survivors and an insult to a whole country, to a whole society.” There was a time, he said, when “if somebody would [say] something like this, it would be the end of his political career. Now it’s a question of two days maybe of troubles. And this is something terrible, because that means that there’s no more responsibility with words.”

As for the BDS movement, he said, “I don’t know why some politicians have a deep need to focus so permanently on this only one country. If you look to the United Nations, how many resolutions were concerning Israel and how many were concerning, let’s say, Sudan?”

The problem of anti-Semitism is rising across the world. A recent CNN poll found that more than a quarter of Europeans say Jews have too much influence in business and finance, while 1 in 5 said Jews have too much influence in the media and politics. Anti-Semitic incidents are on the rise as well. Here is the United States, we saw neo-Nazis marching in Charlottesville chanting “Jews will not replace us!” and horrific shootings at synagogues near San Diego in April and in Pittsburgh last year. In 2018, France reported a 74 percent increase in anti-Semitic attacks, while in Germany they grew by 60 percent.

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While the rise of far-right populism has played a role, many victims say those on the right account for only a fraction of these anti-Semitic incidents. In December, the European Union Agency for Fundamental Rights asked European Jews who was responsible for the most serious incident of anti-Semitic harassment they had experienced: Only 13 percent said it was someone with a far-right political view, while 30 percent said it was an “extremist Muslim” and 21 percent said it was someone with left-wing views.

The fact is anti-Semitism is a growing problem on the left. In Britain this year, three members of the Labour Party resigned after accusing the party and its leader, Jeremy Corbyn, of being — as a former Labour general secretary put it — “institutionally anti-Semitic.” In Washington, congressional Democrats have struggled to confront anti-Semitism within their own ranks. Cywiński said the rise of left-wing anti-Semitism is not surprising. “Do not forget that the Nazi Party in Germany was a party of workers,” he said. “We are many times thinking about the Nazis as far-right. They were also very deeply speaking ... to the left, using some leftist language.”

Whether on the left or the right, we all have an obligation to confront anti-Semitism and other forms of racism and xenophobia. Asked if politicians who express anti-Semitic attitudes should visit Auschwitz, Cywiński said everyone should come. “People need to see Auschwitz. People need to come not only to cry over all of the victims ... but maybe to feel their own responsibility today.” While some draw analogies to the Nazis, he prefers the analogy of the bystanders. “We are nearly all bystanders now in our world, and our world is a free world. We have the capacity of action and we still do nothing to help those who are in a deep need of our help.”

Read more:

[Mitch McConnell and Kevin McCarthy: The House must stand against the toxic BDS movement](#)

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Appendix 2

Q SEARCH

NEW YORK POST

TIPS



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OPINION

Rep. Rashida Tlaib still hasn't apologized for pushing a blood libel against Jews

By Aaron Kliegman

January 29, 2020 | 4:27pm



Rep. Rashida Tlaib of Michigan
Reuters

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An 8-year-old boy goes outside for shopping. On the way, he tragically slips and drowns in a pool of rainwater, where **he is found dead the following day**. Some observers accuse Jews — without any evidence — of having murdered the boy. Leaders echo the charge, and locals march toward a nearby Jewish neighborhood seeking “vengeance.”

The story is a classic type of the medieval blood libel, according to which Jews murder Christian children and use their blood for religious rituals. However, these events didn't transpire in 12th-century England. It happened last weekend. And an American lawmaker echoed the latter-day blood libel.

Qais Abu Ramila was a Palestinian child from East Jerusalem who went missing Saturday. After an hours-long search, authorities found his body; Israeli first responders tried and failed to revive him.

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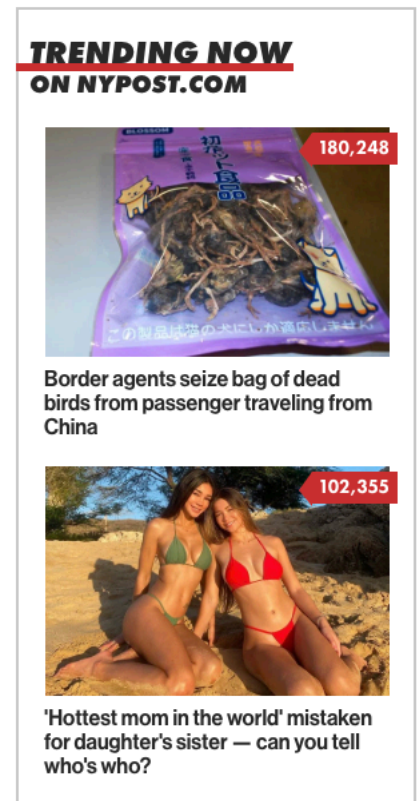
Baseless rumors that Israeli Jews kidnapped and murdered Abu Ramila **quickly gained traction**. Acting on this unsubstantiated claim, Palestinians searching for the boy marched toward a nearby Jewish neighborhood, believing its residents had kidnapped him. Demonstrators threw rocks at police, who blocked the mob from entering the neighborhood. Ultimately, 12 people were injured and three protesters arrested.

The rumors of kidnap and murder spread on social media. A Twitter account named “Real Seif Bitar” tweeted that Abu Ramila was “kidnapped and executed” by a “herd of violent Israeli settlers,” who assaulted him and threw his body in a well. Palestinian politician Hanan Ashrawi **retweeted these allegations**, adding, “The heart just shatters, the pain is unbearable, no words.”

And then, Rep. Rashida Tlaib (D-Mich.) retweeted Ashrawi, sharing the vicious lies with her nearly 1 million followers.



Of course, mistakes happen. Once authorities concluded the boy had likely slipped and drowned, Ashrawi apologized, saying a kidnapping was “**not certain**.” Tlaib later deleted her retweet.



But she never apologized, and despite her self-serving acknowledgement a few days later, her followers may still think Jews murdered Abu Ramila.

And this wasn't the first time Tlaib flirted with blood libel and other forms of anti-Semitism. Last year, for example, Tlaib tweeted that Israel "unjustly oppresses and targets" Palestinian children following a barrage of Palestinian rocket attacks against Israeli civilians.

Two months later, she compared Israel to Nazi Germany, which itself is a form of anti-Semitism under a definition adopted by many Western governments. In August, she declined to participate in a popular trip to Israel for members of Congress, opting instead to take one with a Palestinian NGO that itself pushes blood libels; the trip never came to fruition because Israel **barred her from entry**. And in December, after an anti-Semitic shooting at a **kosher deli in New Jersey**, she rushed to **condemn white supremacy** — when the attacker was black (she later deleted this, too, without further comment).

Whether it's Israelis supposedly wantonly murdering Palestinian children or medieval Jews drinking the blood of Christian children — the effect of these libels is the same: poisoning public opinion against the Jewish people and stoking the oldest hatred. And while Tlaib may believe she is speaking truth to power when she makes false claims about Israel and Jews, responsible people in her party must hold her accountable for spreading misinformation and propping up illegitimate claims without scrutiny.

Aaron Kliegman is an editor-at-large of the J'accuse Coalition for Justice.

FILED UNDER **ANTI-SEMITISM, JERUSALEM, PALESTINE, RASHIDA TLAIB**

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Appendix 3

10/02/2020

O'Week Antisemitism Statement - AUJS



The National Union of Students (NUS) and the Australasian Union of Jewish Students (AUJS) are deeply concerned by reports of antisemitism and discrimination at the University of Melbourne's Parkville campus and La Trobe University's Bendigo campus. This is especially alarming as it is the third consecutive year of antisemitic activity on university campuses during the first week of classes.


Farrago, a student newspaper, reported that on 26 February 2018, two men were handing out leaflets stating "it's okay to be white," at the University of Melbourne. The men allegedly called one student a "faggot" and spat in front of another student who identified herself as Jewish after being questioned about her ethnicity by the assailant. On the same day, the *Bendigo Advertiser* reported that signs from the neo-Nazi group 'Antipodean Resistance' were plastered across La Trobe University's Bendigo campus. AUJS and NUS understand that the University quickly removed the signs as soon as they were alerted. Antipodean Resistance posters were also recently found at Victoria University's Footscray Park campus and Bendigo South East College.

Unfortunately, these events are examples of the systemic rise of antisemitic incidents across Australian university campuses. In 2017, the Executive Council of Australian Jewry found that reported incidents of antisemitism had increased by 9.5%, creating an increasingly hostile campus environment, in which it is hard for Jewish students to feel safe and protected.


Antisemitism is not a phenomenon of the past. Discriminatory and antisemitic individuals are becoming more emboldened and increasing their activities on campus. Therefore, as student representative organisations, it is vital that we at AUJS and NUS adopt a unified and strong stance against discrimination.


Consistent with the "We Must Act Against AntiSemitism" resolution that was successfully passed by AUJS at the NUS National Conference in December 2017, AUJS and NUS is united in condemning and combating antisemitism, as defined by the internationally recognised International Holocaust Remembrance Alliance (IHRA). Additionally, in 2018, AUJS and NUS are committed to directly engaging with universities' administration and student unions to ensure that our higher-education institutions are tolerant and safe for Jews and all minorities.

Faced with an increasingly hostile and antisemitic campus environment, AUJS and NUS are committed to the fight against all forms of discrimination. We call on all other student unions and educational institutions to join us.

Mark Pace	Saul Burston
National President - NUS	National Chairperson - AUJS
president@nus.asn.au	
Jacob Cripps	Noa Bloch
National General Secretary - NUS	National Political Affairs Director - AUJS
gensec@nus.asn.au	

Appendix 4

[OUR APPROACH](#)[RESOURCES](#)[ABOUT US](#)[DELEGATE LOGIN](#)



About Us

Promoting Holocaust education, research and remembrance since 1998

[About Us](#)
[Stockholm Declaration](#)
[IHRA 2020 Ministerial Declaration](#)
[Our Structure](#)
[Countries and Membership](#)
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[Annual Report](#)
[Frequently Asked Questions](#)

"The future we are shaping now, is the past that we will share tomorrow."
– Former Swedish Prime Minister Göran Persson

The International Holocaust Remembrance Alliance unites governments and experts to strengthen, advance and promote Holocaust education, research and remembrance and to uphold the commitments to the 2000 Stockholm Declaration.

The IHRA (formerly the Task Force for International Cooperation on Holocaust Education, Remembrance and Research, or ITF) was initiated in 1998 by former Swedish Prime Minister Göran Persson. Today the IHRA's membership consists of 34 member countries, each of whom recognizes that international political coordination is imperative to strengthen the moral commitment of societies and to combat growing Holocaust denial and antisemitism.

The IHRA's network of trusted experts share their knowledge on early warning signs of present-day genocide and education on the Holocaust. This knowledge supports policymakers and educational multipliers in their efforts to develop effective curricula, and it informs government officials and NGOs active in global initiatives for genocide prevention.

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Image: Former Swedish Prime Minister Göran Persson speaks at the Stockholm International Forum on the Holocaust in 2000. IHRA

ADOPTION OF THE WORKING DEFINITION

The following countries have adopted the *IHRA Working Definition of Antisemitism* (as of December 2019):

- Austria
- Belgium
- Bulgaria
- Canada
- Czech Republic
- France
- Germany
- Greece
- Hungary
- Israel
- Lithuania
- Luxembourg
- Moldova
- The Netherlands
- North Macedonia
- Romania
- Slovakia
- United Kingdom

ENDORSEMENT OF THE WORKING DEFINITION

- In 2014, the Swiss Federal President Didier Burkhalter, as OSCE Chairperson-in-Office, said the Working Definition is, “a useful document for governments and civil society in explaining how anti-Zionism is frequently a mask for antisemitism, and Jewish communities are often targets for anti-Israel animus.”¹
- On the occasion of International Holocaust Remembrance Day 2017, European Justice Commissioner Vera Jourová said, “We will make the IHRA definition available on our website dedicated to the fight against Antisemitism.”²
- In June 2017, the European Parliament recommended use of the Working Definition in its resolution on antisemitism.
- In September 2018, UN Secretary-General António Guterres said, “I wish to acknowledge the efforts of the 31 member countries of the International Holocaust Remembrance Alliance to agree on a common definition of antisemitism. Such a definition can serve as a basis for law enforcement, as well as preventive policies.”³
- In December 2018, the Council of the European Union adopted a declaration on combating antisemitism, which included a call on member states which have not yet done so to adopt the IHRA Working Definition of Antisemitism.⁴
- In January 2019, U.S. President Donald J. Trump signed the Combating European Antisemitism Act of 2017 into law. This act, first introduced by Rep. Nita Lowey (D-NY) in January 2017, outlines how combating antisemitism is in the national interest of the United States and encourages adoption by national and multinational government institutions of the IHRA Working Definition of Antisemitism.⁵
- On February 19, 2019, French President Emmanuel Macron called on France to adopt the IHRA Working Definition. “For the first time in many years, antisemitism is killing people again in France,” said Macron, adding that French authorities “did not know how to react effectively.”

¹ Swiss OSCE Chairmanship concluding statement. OSCE Switzerland 2014. <https://www.osce.org/odihr/126710?download=true>.

² “Speech of Commissioner Jourová at the occasion of International Holocaust Remembrance Day.” 24 January 2017. European Commission. https://ec.europa.eu/commission/commissioners/2014-2019/jourova/announcements/speech-commissioner-jourova-occasion-international-holocaust-remembrance-day_en.

³ Antisemitism Rising Even in Countries with No Jews at All, Secretary-General Tells Event on Power of Education to Counter Racism, Discrimination.” United Nations Secretary General Statements and Messages. SG/SM/19252-RD/1022, 26 September 2018. <https://www.un.org/press/en/2018/sgsm19252.doc.htm>.

⁴ 25 IHRA members are EU member states. In November 2018, IHRA membership increased to 32 countries.

Appendix 5

10/02/2020

Executive Order on Combating Anti-Semitism | The White House

EXECUTIVE ORDERS

Executive Order on Combating Anti-Semitism

LAW & JUSTICE

Issued on: December 11, 2019



By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. My Administration is committed to combating the rise of anti-Semitism and anti-Semitic incidents in the United States and around the world. Anti-Semitic incidents have increased since 2013, and students, in particular, continue to face anti-Semitic harassment in schools and on university and college campuses.

Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. 2000d et seq., prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. While Title VI does not cover discrimination based on religion, individuals who face discrimination on the basis of race, color, or national origin do not lose protection under Title VI for also being a member of a group that shares common religious practices. Discrimination against Jews may give rise to a Title VI violation when the discrimination is based on an individual's race, color, or national origin.

It shall be the policy of the executive branch to enforce Title VI against prohibited forms of discrimination rooted in anti-Semitism as vigorously as against all other forms of discrimination prohibited by Title VI.

Sec. 2. Ensuring Robust Enforcement of Title VI. (a) In enforcing Title VI, and identifying evidence of discrimination based on race, color, or national origin, all executive departments and agencies (agencies) charged with enforcing Title VI shall consider the following:

(i) the non-legally binding working definition of anti-Semitism adopted on May 26, 2016, by the International Holocaust Remembrance Alliance (IHRA), which states, “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”; and

(ii) the “Contemporary Examples of Anti-Semitism” identified by the IHRA, to the extent that any examples might be useful as evidence of discriminatory intent.

(b) In considering the materials described in subsections (a)(i) and (a)(ii) of this section, agencies shall not diminish or infringe upon any right protected under Federal law or under the First Amendment. As with all other Title VI complaints, the inquiry into whether a particular act constitutes discrimination prohibited by Title VI will require a detailed analysis of the allegations.

Sec. 3. Additional Authorities Prohibiting Anti-Semitic Discrimination. Within 120 days of the date of this order, the head of each agency charged with enforcing Title VI shall submit a report to the President, through the Assistant to the President for Domestic Policy, identifying additional nondiscrimination authorities within its enforcement authority with respect to which the IHRA definition of anti-Semitism could be considered.

Sec. 4. Rule of Construction. Nothing in this order shall be construed to alter the evidentiary requirements pursuant to which an agency makes a determination that conduct, including harassment, amounts to actionable discrimination, or to diminish or infringe upon the rights protected under any other provision of law.

Sec. 5. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
December 11, 2019.

Appendix 6

641 out of 643 MPs sign up to IHRA definition of antisemitism

Antisemitism Policy Trust calls it 'largest collective parliamentary support for any non-parliamentary document in modern times'



The Houses of Parliament (Photo: Getty Images)

A total of 641 of the 643 MPs who sit in the Commons have personally signed up to the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism in what has been called "largest collective parliamentary support for any non-parliamentary document in modern times".

The Antisemitism Policy Trust invited candidates from all parties to sign up to the definition during the General Election campaign last year, and around 700 did so.

After around 230 of them were elected, and the All-Party Parliamentary Group (APPG) Against Antisemitism then set out to sign up more MPs to the definition.

"The result was 637 parliamentarians personally signed up to the definition in what is believed to be the largest collective parliamentary support for any non-parliamentary document in modern times," the Antisemitism Policy Trust, which provides the secretariat for the APPG, said.

All SNP, SDLP, Green Party, DUP, and independent MPs signed. Labour MP Yasmin Qureshi signed it after this article went live as did Conservative MP Sir Christopher Chope

Those who have not signed are the seven Sinn Féin MPs who abstain from taking their seats and Labour MPs Tahir Ali and Grahame Morris.

/

The Trust said this was "despite repeated attempts to contact them".

The IHRA definition has been adopted by the UK government and the Labour Party - though only after a protracted row over the examples it provides of how criticism of Israel can veer into antisemitism.

Communities Secretary Robert Jenrick said on Tuesday that universities and councils that refuse to adopt the definition are to be listed and could have their funding cut.

He said that only 136 of the 343 councils in England had agreed to accept the IHRA definition when dealing with allegations of antisemitism.

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Appendix 7

10/02/2020

Universities which don't adopt IHRA definition may have funding cut | Jewish News

Universities which don't adopt IHRA definition may have funding cut

Communities Secretary Robert Jenrick told academic institutions they 'must' adopt the international definition of antisemitism or face losing funds

By JEWISH NEWS REPORTER

January 30, 2020, 2:49 pm



Robert Jenrick

Universities and councils that do not adopt a new definition of antisemitism could have their funding cut, the Government has said.

Communities Secretary Robert Jenrick is targeting learning institutions and local authorities which have not adopted the International Holocaust Remembrance Alliance working definition over fears that it limits free speech on Israel.

In recent years ministers have encouraged councils and universities to adopt the definition, while acknowledging that it was their decision whether to do so or not, but Jenrick has changed the tone, this week saying the "must" adopt it.

He said 136 of the 343 local authorities in England have adopted the IHRA definition and warned that he would name and shame those that had ruled out doing so.

"All universities and local councils that have not already done so must adopt the IHRA definition of antisemitism," he said. "It is shocking that some still haven't, demonstrating a serious lack of respect for this issue.

"I will shortly publish the list of those councils that have told my department that they will adopt the definition and those who have explicitly refused to do so. Organisations like these should not expect to receive public money if they cannot demonstrate that they are fighting antisemitism."

Doncaster Council this week became the latest local authority to adopt the IHRA definition, with Deputy Mayor Cllr Glyn Jones specifically referencing Jenrick's threat as he announced that the council was signing up to it.

<https://jewishnews.timesofisrael.com/universities-which-dont-adopt-ihra-definition-may-have-funding-cut/>

1/2

Last week Andrew Percy MP, who converted to Judaism in 2017, criticised universities refusing to adopt it, including Warwick University, where Vice-Chancellor Stuart Croft recently said he saw “no added value” in the definition.

The Government this week said that the Jewish Leadership Council was “working alongside [Jenrick] to encourage local authorities to adopt the IHRA”.

READ MORE:

• Robert Jenrick • International Holocaust Remembrance Alliance (IHRA) • IHRA

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