

In December 2016, Jewish American commentator Peter Beinart – who, unlike Vilkomerson, identifies as a Zionist – came to a similar conclusion.

With every passing year, Israeli control of the West Bank grows more permanent. And so, with every passing year, more American progressives question Zionism ... And the more those Americans voice this discomfort, the more establishment American Jewish organizations work to classify anti-Zionism as anti-Semitism, punishable by law.<sup>89</sup>

These arguments can be paraphrased with respect to the shape of this book thus: in response to the apartheid status quo on the ground (Chapters 1 and 2), opposition towards Israeli policies and solidarity with the Palestinians has grown in Jewish communities (Chapter 3), as well as among progressives and the left (Chapter 4). In response to such developments, and the growth of the BDS Movement, Israel is seeking to delegitimise efforts at holding it to account.

### *Redefining 'anti-Semitism'*

As a central part of such efforts, the Israeli government and its allies are promoting a definition of anti-Semitism that incorporates the concepts of a 'new anti-Semitism'. In 2005, a draft, working definition of anti-Semitism was circulated by the European Union's Monitoring Centre on Racism and Xenophobia (EUMC).<sup>90</sup> The text, drafted with the help of pro-Israel groups, proved highly divisive for its muddled conflation of genuine anti-Semitism (e.g. Holocaust denial) with criticism of or opposition to Israel and Zionism (e.g. claiming the State of Israel 'is a racist endeavour').<sup>91</sup> By 2013, the EUMC's successor body, the European Union Agency for Fundamental Rights (FRA), had abandoned the politicised definition as unfit for purpose and removed it from its website, clarifying on numerous occasions that the document did not have

any official status and had never been ‘adopted’ by the body.<sup>92</sup> Nevertheless, pro-Israel groups persisted in misrepresenting the status of the document as *the* ‘European’ or ‘European Union’ definition of anti-Semitism, and found some success in securing its adoption by, among others, the US State Department. However, it was clear to others that a fresh impetus was needed to salvage the ‘definition’ from the controversy – and obscurity – of its EUMC/FRA origins. At the Israeli-government convened GFCFA in Jerusalem in 2015, a working group recommended ‘that the Working Definition of Antisemitism should be reintroduced into the international arena with the aim of giving it legal status’.<sup>93</sup>

Step forward Mark Weitzman, a long-time senior official at the Los Angeles-based Simon Wiesenthal Centre, an institution which has embraced the idea of a ‘new anti-Semitism’ to the extent that it does not even pretend to separate fighting anti-Semitic hate and defending Israel. A prime illustration of this is the Centre’s annual ‘Top Ten Worst Anti-Semitic/Anti-Israel Incidents’, which in 2015 listed the EU’s decision to correctly label the origin of products made in Israeli settlements right after the activities of so-called Islamic State.<sup>94</sup> In 2016’s ‘Top Ten’, the Centre ranked white nationalist Richard Spencer at number five, while at number *one* was UN Security Council Resolution 2334 on the illegality of Israeli settlements.<sup>95</sup> Crucially for this story, Weitzman also served as chair of the Committee on Antisemitism and Holocaust Denial for the International Holocaust Remembrance Alliance (IHRA), a 31-member body founded in 1998 by former Swedish Prime Minister Göran Persson. It was under Weitzman’s chairmanship that the IHRA committee proposed, in 2015, a definition of anti-Semitism which almost exactly replicated the discredited EUMC ‘working definition’.<sup>96</sup> In May 2016, the IHRA duly adopted it.

Celebrating the achievement, Weitzman told a right-wing news site: ‘We decided a couple of years ago that IHRA was the right venue to bring up the definition for adoption. The idea was proposed to my committee, who recommended it to IHRA’s Plenary and it took two years to get the definition through, which is remarkably fast in

IHRA terms' (he later claimed that the IHRA definition was 'taken from the EUMC definition as there was not enough time to invent a new one').<sup>97</sup> According to The Louis D. Brandeis Centre, which has often led attacks on Palestine solidarity activism and BDS on US campuses, while the IHRA definition was 'essentially the same text' as the EUMC working definition, 'because the IHRA has adopted it, the definition has now officially been given the international status that it was previously lacking'.<sup>98</sup> As a 2016 Israeli government report described, ever since the FRA ditched the draft working definition, 'Israeli representatives, individuals and organizations, Jews and non-Jews ... [had] been endeavouring to restore awareness of the definition as well as its use'.<sup>99</sup> Through Weitzman, and the IHRA, they had achieved their goal.

The birth of an 'IHRA definition' was celebrated at the time by a number of pro-Israel groups, who specifically highlighted – and praised – its recognition of the 'new antisemitism'.<sup>100</sup> The American Jewish Committee, for example, whose officials had played a key role in the drafting of the ill-fated EUMC document, said the IHRA definition 'offers a clear and comprehensive description of anti-Semitism in its various forms', but 'of particular note, anti-Semitism as it relates to Israel'.<sup>101</sup> The intended use of the definition soon became clear. In February 2017, pro-Israel groups in the UK – where the Conservative government had symbolically 'adopted' the IHRA definition – sought to have Israeli Apartheid Week events cancelled on the basis they were 'anti-Semitic'.<sup>102</sup> After one university cancelled a panel event on such grounds, the Simon Wiesenthal Centre, and Mark Weitzman, were delighted (the Centre had previously unsuccessfully sought to persuade the French government to outright ban Israeli Apartheid Week as 'a clear violation' of the EUMC working definition).<sup>103</sup> In a press release, the Centre proudly noted how Weitzman had 'spearheaded the IHRA's adoption of the definition', and quoted him as saying the university's decision to cancel the event – which sparked considerable outrage on freedom of speech grounds – was 'evidence

that this internationally accepted definition can play a vital role in the fight against antisemitism.<sup>104</sup>

In the UK, the definition was published on a government website some months before its so-called 'adoption', under the supervision of Eric Pickles, Special Envoy for Post-Holocaust issues and chair of Conservative Friends of Israel.<sup>105</sup> Days before it went online, Pickles had been a speaker at a conference on anti-Semitism, where he explicitly compared the BDS campaign to the Nazi boycott of Jewish goods. 'There's nothing complicated to it,' he told the audience. 'It's the same thing happening 70 years later. It's the same ideology, it's the same language, it's the same threats.'<sup>106</sup> Its use in the UK has generated a good deal of pushback; David Feldman, head of the Pears Institute for the Study of Antisemitism, criticised the text as 'bewilderingly imprecise', and highlighted 'a danger that the overall effect will place the onus on Israel's critics to demonstrate they are not antisemitic'.<sup>107</sup> The Jewish Socialists' Group, meanwhile, said the definition is 'being used to muzzle free speech on Israel/Palestine and on Zionism as a political ideology, which like any other political ideology can be supported or rejected and should be open to question'.<sup>108</sup> In fact, on that point, supporters and opponents of the definition are in agreement: an Israeli government document noted *approvingly* that 'the main innovation in the working definition is that it also includes expressions of Antisemitism directed against the State of Israel, when it is perceived as a Jewish collective'.<sup>109</sup> In other words, 'the definition also refers to anti-Zionism ... as a form of Antisemitism'.

In the US, meanwhile, a bill introduced on Capitol Hill in late 2016 sought to instruct the Department of Education to consider the contested definition of anti-Semitism when assessing federal discrimination claims brought by students and faculty. As the *Forward* reported, the background was years of 'efforts [by Jewish groups] into boosting the spread of State Department's definition of anti-Semitism', some of whom had also 'filed multiple civil rights claims' on the basis that certain campuses had become 'hostile environments' for Jewish students.<sup>110</sup> The head of one such group,

Morton Klein of the Zionist Organisation of America, said he hoped the law would ‘help us in our efforts to minimize and more successfully fight against the increasing and dangerous scourge of campus anti-Semitism, led primarily by Muslim student members of Students for Justice in Palestine, and increasingly by antisemites affiliated with Black Lives Matter.’<sup>111</sup> The Anti-Defamation League was also clear about the bill’s aim, tweeting: ‘Worried about anti-#Israel activity on campus? We drafted a law that will help show when it’s gone too far.’<sup>112</sup> The bill attracted heavy criticism, including from the ACLU and hundreds of Jewish students and scholars.<sup>113</sup> Though the ‘Anti-Semitism Awareness Act’ was passed in the Senate, the Congress session ended before there was time for the House to pass it (at the time of writing, it is unclear if it will be reintroduced).

The attempt to pass nationwide legislation followed on from a battle at the University of California, where pro-Israel groups had sought to persuade university authorities to adopt a statement on antisemitism that ‘equated[d] anti-Zionism with religious bigotry’.<sup>114</sup> Thanks to the efforts of Palestine solidarity and civil liberty groups, the final statement was somewhat watered down, referring instead to ‘antisemitic forms of anti-Zionism’, but, as Dima Khalidi, the director of Palestine Legal, noted, pro-Israeli groups had ‘succeeded in convincing the regents that Palestine advocacy is inherently antisemitic, and should be condemned’.<sup>115</sup> The Louis D. Brandeis Centre, meanwhile, who saw the University of California statement as a springboard for future action, has said that ‘the next step is getting the University of California, and other universities nationwide, to follow the IHRA’s good example, and adopt an official definition [of antisemitism]’.<sup>116</sup> Revealingly, in the context of these debates, one of the main authors of the original EUMC document – Ken Stern – came out *against* its ‘official adoption’ in California, arguing that to do so ‘would do more harm than good’.<sup>117</sup> Stern had made his concerns explicit as early as 2010, when he regretted that some groups were using the EUMC working definition ‘in an inappropriate way’, citing attempts by

‘American Jewish organizations from the right side of the political spectrum’ to change campus policy.<sup>118</sup> According to Stern – who to be clear, is a firm believer in the new antisemitism – such groups were ‘using the definition in a way it was never intended, and with the subtlety of a mallet’.

*Drawing the red line*

So why exactly is BDS such a target of attack by Israel? Put simply, BDS puts the focus on Israel’s criminal policies, contextualises them with a framework of apartheid and colonialism, and demands accountability by way of response. These three elements, combined with its growth, and momentum, are at the heart of Israel’s opposition to the boycott. But it is important to break down just why Israel and its allies allege that BDS is actually ‘antisemitic’ – and front and centre of such claims is the fact that the BDS Call demands the realisation of Palestinian refugees’ rights to return. The return of expelled and denationalised Palestinians would significantly undermine, or end, Israel’s Jewish majority of citizens (a majority achieved, of course, by those refugees’ historic removal and ongoing exclusion). Such a scenario is anathema to the State of Israel, its political leadership, and the overwhelming majority of Zionists worldwide; in the words of an ADL official in May 2015: ‘the unqualified right of return of all Palestinian refugees [to Israel] ... would lead to the demise of Israel as a Jewish state. People who advocate that promote an idea that at its core is antisemitic’.<sup>119</sup> This opposition, and the implications and significance of the refugees’ return, are the subject of the book’s final chapter. Thus, at this point, it is sufficient to note how the BDS Movement’s support for Palestinian refugees’ right of return is enough to render it beyond the pale for Israel and its supporters.

Perhaps one of the most commonly advanced arguments in support of BDS being antisemitic is that it supposedly ‘singles out’ Israel as a unique evil in the world, or uniquely deserving of isolation and boycott. As the Board of Deputies of British Jews put

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