

How raising the issue of antisemitism puts you outside the community of the progressive: The *Livingstone Formulation*

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Abstract

This paper defines the features of the rhetorical device which I have named the *Livingstone Formulation*. It is a means of refusing to engage with an accusation of antisemitism; instead it reflects back an indignant counter-accusation, that the accuser is taking part in a conspiracy to silence political speech. The *Livingstone Formulation* functions to de-legitimise scholarly or political analysis of antisemitism by treating analysis of antisemitism as an indicator of anti-progressive discourse. This mode of refusal to engage rationally with antisemitism is often facilitated by the treatment of antisemitism as a subjective sentiment rather than as an external and objective social phenomenon. This paper offers a large number of examples of the *Livingstone Formulation* taken from diverse public discourse; from both explicitly antisemitic and also from ostensibly antiracist social spaces.

Jenny Tonge, a Liberal Democrat member of the House of Lords, said at a fringe meeting of her party's conference:

The pro-Israeli Lobby has got its grips on the Western World, its financial grips. I think they've probably got a certain grip on our party (Hirsh 2006).

This seems to be an antisemitic claim because it articulates a mindset in which a Jewish conspiracy controls the western world through its financial muscle. It is not a claim about influence or lobbying, but about singular and global financial control.

There is often disagreement about what is antisemitic and what is not. Spotting antisemitism requires knowledge, forensic skills, political and moral judgment, as well as a sensitive nose and a consideration of context (Hirsh 2013). But the focus of this paper is not how to spot antisemitism. Rather it is about a recurrent pattern of refusal even to try. This paper focuses on one common response to an accusation of antisemitism. Jenny Tonge is not some kind of fascist or racist, she is a liberal opponent of bigotry and antisemitism. So you would think that if Jewish individuals, Jewish communal bodies or academic scholars of antisemitism told her that some of what she had said was antisemitic, then it would worry her. You would think that she would stop, re-consider and seek advice. But that is not what she did. Instead, she responded like this:

I am sick of being accused of anti-Semitism when what I am doing is criticising Israel and the state of Israel (InMinds.co.uk, 2007).

Tonge says that the people who *claim* she has said antisemitic things do not really *believe* she has said antisemitic things. She says that these claims are made in bad faith by people whose real concern is to silence her criticisms of Israeli human rights abuses (Hirsh 2008). Instead of responding by discussing the content of what she has said, she responds by discussing the allegedly hidden and dishonest motivation of those who accuse her. She writes:

They take vindictive actions against people who oppose and criticise the lobby, getting them removed from positions that they hold and preventing them from speaking – even on unrelated subjects, in my case. I understand their methods. I have many examples. They make constant accusations of antisemitism, when no such sentiment exists, to silence Israel’s critics. (Hirsh 2008)

Tonge does not say that people who accuse her of antisemitism are mistaken, she says that they know they are wrong and they accuse her in a secretly systematic and methodical way, nevertheless. Her defence against a charge of antisemitic conspiracy theory is to rely on antisemitic conspiracy theory: the claim that there is a hugely powerful singular lobby which mobilizes Jewish victim-power ruthlessly against her and other ‘criticis’ in the interests of the state of Israel.

Everybody agrees that criticism of Israel can be entirely legitimate, and that it is open to debate, discussion and the examination of evidence to work out which criticisms are justified and which are not, and which kinds of criticism may be bigoted or antisemitic (Hirsh 2007). But the problem with Tonge’s response here is that she characterizes everything she does as ‘criticism’. She is in favour of a boycott of Israel, which some people say is antisemitic, and some say is likely to bring antisemitic ways of thinking with it; she calls the boycott ‘criticism’. When she indulges in what appears to be antisemitic conspiracy theory, she calls that ‘criticism of Israel’ too.

Tonge’s response to an accusation of antisemitism is to employ the *Livingstone Formulation*. The key elements of the *Livingstone Formulation* are as follows:

1. To refuse to discuss the *content* of the accusation by shifting focus instead onto the hidden *motive* for the allegation.
2. To make a counter-accusation that the accuser is not mistaken, has not made an error of judgment, but is getting it wrong on purpose.
3. To collapse everything, some of which may be demonization of Israel, support for boycott, or antisemitism, into a legitimate category like ‘criticism’.
4. To allege that those who raise the issue of antisemitism are doing so as part of a common secret plan to silence such ‘criticism’.

David Ward, Liberal Democrat MP for Bradford East, took the opportunity of Holocaust Memorial Day to announce that he was saddened that

the Jews, who suffered unbelievable levels of persecution during the Holocaust, could within a few years of liberation from the death camps be inflicting atrocities on Palestinians... (Quinn 2013).

Lesley Klaff (2014) characterises this mode of comparison as ‘Holocaust Inversion’:

inversion of reality (the Israelis are cast as the ‘new’ Nazis and the Palestinians as the ‘new’ Jews), and an *inversion of morality* (the Holocaust is presented as a moral lesson for, or even a moral indictment of ‘the Jews’)...

David Ward responded in the *Guardian* to criticism of his remarks in terms strikingly similar to those of Jenny Tonge:

There is a huge operation out there, a machine almost, which is designed to protect the State of Israel from criticism. And that comes into play very, very quickly and focuses intensely on anyone who’s seen to criticise the State of Israel. And so I end up looking at what happened to me, whether I should use this word, whether I should use that word – and that is winning for them (Edemariam 2013).

In the 1980s a certain kind of antiracism ‘consciousness raising’ was fashionable.¹ People would sit in a circle and the group would begin, like a session of *Alcoholics Anonymous*, with each person admitting publicly that they were racist. There was a logic to proceeding in this way. We are human beings. We live and are formed within the existing social world; it is complex and contradictory and so are we. It is impossible simply by an act of will to cleanse oneself completely of all of the unwanted assumptions, feelings, unconscious motivations and linguistic vocabularies within which we exist. If we begin by admitting that we are not necessarily immune from racism simply because we decide to be antiracist, then it enables us to examine ourselves honestly, in a supportive group, without being afraid of denunciation. If we all contain some racist ways of thinking, then we can examine them and deal with them. It is the ones who claim to be pure who we need to worry about.

When Labour MP Paul Flynn was criticised for suggesting that it was inappropriate for a Jewish man to be the UK ambassador to Israel, part of his response was interesting: ‘...I do not have an atom of racism or anti-semitism in me.’ (bod.org.uk 2011).

Tonge says that antisemitism is a ‘sentiment’ which is entirely absent from her own inner life and Flynn says that he doesn’t have an atom of it in him. This subjective self-consciousness of being an opponent of antisemitism, it turns out, is no guarantee against stumbling into antisemitic ways of thinking or supporting antisemitic boycotts. This certainty about one’s own political cleanliness can make one nostalgic for the 80s consciousness raisers who remained vigilant about the possibility that racism lurked in their own inner lives, in spite of their conscious and determined wish to eradicate it.

¹ This analogy was suggested to me by my friend and colleague Ben Gidley.

Antisemitism is an objective social phenomenon because it does not only reside inside our heads but it also in the cultural spaces in between our heads and in the relationships between consciousness, culture and material reality. Antisemitism has recognisable shapes and tropes; it has been with us for a long time and its symbols and memes are deep within us and deep within our shared cultures. So there is no contradiction when Jenny Tonge tells us that she is unaware of feeling any hostility to Jews even as she indulges in classic antisemitic conspiracy theory; or when Flynn alleges that a Jew cannot be trusted to hold a sensitive office for the British state, while at the same time he believes that he does not contain an atom of antisemitism.

Sometimes it is said that hostility to Israel is a cloak which hides antisemitism. But this seems to suggest that people who are self consciously antisemitic are adopting hostility to Israel as a way of camouflaging their real, underlying, Jew-hating motivations. Well, this may be true of David Irving, for example, whose antisemitism precedes his 'criticism of Israel'. But it is more of a puzzle when people who are aware of no antisemitic motivations, who think of themselves as implacable opponents of antisemitism, act in antisemitic ways.

Whether the hostility to Israel comes first and the antisemitism follows, or whether the antisemitism comes first, causing the hostility to Israel, it is difficult to know. Perhaps it makes sense to understand it as a cycle in which both antisemitism and hostility to Israel feed on each other. But in any case, the key issue here is that the antisemitism remains steadfastly unrecognised and unacknowledged by the person who has stumbled into it. This is important if we are to understand the self-righteous anger and the certainty with which such people reject any suggestion that what they have said or done is antisemitic. The indignation is genuine.

People look within themselves and find an absence of Jew-hatred. They find it difficult to understand antisemitism as an objective social fact, preferring to see it is an individual mental sentiment. Having found themselves not guilty of antisemitism, they are tempted to move quickly on to angrily counter-attacking the motives of the people who have brought up the issue.

The 1980s consciousness raisers normalized racism, understanding it as something which is common in our world and which even happens within ourselves. This way of thinking helped them to examine racism, to understand it and to oppose it. By contrast, contemporary antisemitism is often treated in the opposite way. A colleague from the Netherlands once told me that she had been invited to participate in a panel discussion in Amsterdam about a controversial play. I asked her whether she thought that the play was antisemitic. She replied:

How can I accuse somebody of antisemitism in Holland, in the city of Anna Frank, which was occupied by the Nazis?

I thought this answer revealed something important about the difficulty of discussing and understanding contemporary antisemitism. She told me that she thought the play was vulgar, was not a good play, was not nuanced, did not portray Jews fairly or sensitively; but she was hugely reluctant, for reasons which had nothing to do with the play itself, even to consider whether it was antisemitic. For my colleague, the very concept of antisemitism had become unusable in any context other than that of the Nazi genocide of its pre-history. In her mind, to say that this play was antisemitic was to say that the author was like Hitler; and since this playwright was not, in any sense a Nazi, then it would have been insulting to call her play antisemitic. In this way, we deprive ourselves of the ability to interrogate our own speech or actions for antisemitism.

We need the concept ‘antisemitism’ to help us to understand and to oppose the phenomenon of antisemitism. But what if the term itself, and so the concept, has become unusable? What if it has become a nuclear bomb which cannot be targeted against anti-Jewish bigotry but which, instead, obliterates the whole conversation. For my Dutch colleague, it had become impossible to confront the author of the play and its audience with a reasoned and evidenced case that they had slipped into antisemitic ways of thinking. Her choice was either to dance around the issue of antisemitism using other words or to use the dreaded word, in the fear that the response of the playwright would be howling and self-righteous anger, rather than considered and sober introspection.

It suited this anti-Zionist playwright not to have to have a serious discussion about her play’s antisemitism just as it suited Jenny Tonge not to have to consider the antisemitic nature of her claim that the ‘lobby’ had its financial grips on the western world. The reason for this is not that they privately admit to producing antisemitic words but that they feel themselves to be so clean that they bitterly resent even having to consider it. Seeing ‘antisemitism’ as a nuclear bomb enables them to respond as victims of those who they think utilise such an evil and destructive weapon.

The idea that raising the issue of antisemitism is a dirtier trick than antisemitism itself is occurring to more and more people apparently independently; each seems dazzled by their own brilliance in solving the puzzle. The insight is that the debate about contemporary antisemitism itself should really be recognised as a manifestation of Zionist ruthlessness and duplicity. This notion, widely held, does serious damage to the possibility of considering antisemitism in a measured and rational way, either politically or academically.

Ken Livingstone’s Formulation

In February 2005, Ken Livingstone, then the mayor of London, became involved in an apparently trivial late night argument with a reporter after a party at City Hall. Oliver Finegold asked him how the party had been. Livingstone was angry because he felt Finegold was intruding. There was a little banter to and fro, in which the reporter said that he was only trying to do his job. Livingstone fixed on that phrase and retorted by asking him whether he had previously been a ‘German war criminal’. Finegold replied that he hadn’t, and that he

was Jewish, and that he was offended by the suggestion. Livingstone went on to insist that Finegold was behaving just like a ‘German war criminal’, that his newspaper, *The Standard*, ‘was a load of scumbags and reactionary bigots’ and that it had a record of supporting Fascism (Transcript 2006).

Instead of apologizing for his comments in the sober light of day Livingstone treated the publication of this exchange as a political opportunity rather than a gaffe. He wrote an article criticizing Ariel Sharon, then the Prime Minister of Israel. In that article he responded to charges of antisemitism which had been made in relation to the Finegold affair with the following words:

For far too long the accusation of antisemitism has been used against anyone who is critical of the policies of the Israeli government, as I have been (Livingstone 2006).

This is the *Livingstone Formulation*. It is a response to a charge of antisemitism. It is a rhetorical device which enables the user to refuse to engage with the charge made. It is a mirror which bounces back onto an accuser of antisemitism a counter-charge of dishonest Jewish (or ‘Zionist’) conspiracy.

The *Livingstone Formulation* conflates everything, criticism of Israel but also other things which do not seem to be so legitimate, such as repeatedly insulting a Jewish reporter by comparing him to a Nazi, into the category of legitimate criticism of Israel. The *Livingstone Formulation* does not simply accuse people who raise the issue of antisemitism of being wrong, it accuses them of being wrong on purpose: ‘the accusation of antisemitism *has been used* against anyone who is critical...’ [*my italics*]. Not an honest mistake, but a secret, common plan to try to de-legitimize criticism by means of the instrumental use of a charge of antisemitism; crying wolf; playing the antisemitism card. This is an allegation of malicious intent made against the (unspecified) people who raise concerns about antisemitism. It is not possible to ‘use’ ‘the accusation of antisemitism’ in order to delegitimize criticism of Israel, without dishonest intent; the accusation is an accusation of bad faith.

An *ad hominem* attack is one which responds to an argument by attempting to discredit the maker of the argument. Jon Pike (2008) argues that the *Livingstone Formulation* is an *ad hominem* attack which leaves the substance of the question at issue unaddressed:

Suppose some discussion of a ‘new antisemitism’ is used in an attempt to stifle strong criticism. Well, get over it. The genesis of the discussion and the motivation of the charge [don’t] touch the truth or falsity of the charge. Deal with the charge, rather than indulging in some genealogical inquiry.

It is always the case that there are possible reasons for making a claim which lie beyond the truth of the claim. For example a trade union representing coal miners may want to make the case against nuclear power. It is clear enough that it has an interest in winning the argument against nuclear power. But even if instrumental self-interest is one of the reasons for miners arguing against nuclear power, it is still necessary for policy makers to come to a view about

the substance of the case itself. Neither does it follow that miners do not themselves believe in the case against nuclear power, nor that they are making the case in bad faith.

Often, critics of Israel argue that to raise the issue of antisemitism, to launch the nuclear bomb, in relation to their criticisms of Israel is itself an *ad hominem* attack. They do this by insisting that a necessary element of antisemitism is antisemitic intent on the part of the ‘critic’ of Israel. In other words that to be guilty of antisemitism a person must be aware of their own antisemitism, to be real, antisemitism must be a conscious motivation. The accusation of antisemitism must therefore be a charge against the person, not only against the speech or the actions of the person.

But the *Livingstone Formulation* is itself an *ad hominem* response. It is an attempt to rebut this allegedly *ad hominem* accusation of antisemitism by reference to the malicious intent of the accuser, not by reference to the content of the accusation.

So there are charges of *ad hominem* usage on both sides. On neither side can the mere making of the charge settle the argument; what is needed is an investigation into whether the charges are *true*. Do the Jews who express worry about antisemitism actually have malicious and duplicitous motives or are there simpler ways to account for their expressions of worry? For example, perhaps the antisemitism they worry about is real, and that would account for their worrying. Or perhaps they have mis-judged something legitimate to be antisemitic, and that would account for their worrying.

Alternatively, is it true that those who denounce Zionists as Nazis or as pro-apartheid, or those who call for singular punishments for Israel, are in fact behaving in a discriminatory way? If it is, then raising the issue of antisemitism is explicable in its own terms without reference to a malicious external motive.

Examples of the use of the Livingstone Formulation

One of the interesting things about the Livingstone Formulation is that it is mobilized both by self-conscious antisemites and also by people who think of themselves as opponents of antisemitism.

The former President of Iran, Mahmoud Ahmadinejad pushed Holocaust denial and other antisemitic conspiracy theory. When he was challenged on this, he responded:

As soon as anyone objects to the behavior of the Zionist regime, they’re accused of being anti-Semitic... (Reuters 2008).

David Duke (2004), former leader of the Ku Klux Klan, wrote the following in response to an accusation of antisemitism:

It is perfectly acceptable to criticize any nation on the earth for its errors and wrongs, but lo and behold, don’t you dare criticize Israel; for if you do that, you will be accused of the most abominable sin in the modern world, the unforgivable sin of anti-Semitism!

Nick Griffin, leader of the fascistic British National Party wrote:

Those who claim ... that to criticise any Jew ... is a mortal sin against a group singled out by God or Hitler for special treatment and in consequence entitled ever-after to carry a globally valid 'Get Out of Jail Free' card, are clearly in the grip either of PC self-censorship or the last misguided upholders of the late 19th century 'Master Race' fantasy' (Auster 2005).

Charles Lindbergh (1941), the famous aviator who campaigned against America's entry into the Second World War:

The terms 'fifth columnist,' 'traitor,' 'Nazi,' 'anti-Semitic' were thrown ceaselessly at any one who dared to suggest that it was not to the best interests of the United States to enter the war.

These four antisemites all respond to an accusation of antisemitism in the same way. Instead of looking at what they said which is allegedly antisemitic, they launch a counter-attack against their accusers. Instead of addressing the substance of the allegation, they seek to smear the motive of the Jewish, Zionist or antiracist accuser.

Soviet antisemitism long pre-dated Israel, but the Stalinists pioneered the strategy of demonizing Israel as 'pro-imperialist'. In 1952 Rudolph Slansky, who was himself the murderous dictator of Communist Czechoslovakia, was faced with an antisemitic purge by his 'comrades'. Slansky was removed from power and the following 'confession' was extracted under torture:

I deliberately shielded Zionism by publicly speaking out against the people who pointed to the hostile activities of Zionists and by describing these people as anti-Semites so that these people were in the end prosecuted and persecuted. I thus created an atmosphere in which people were afraid to oppose Zionism (Shindler 2011:145-6).

This is identical to Livingstone's formulation. The Jew confesses to (or is accused of) mobilising a bad-faith accusation of antisemitism in order to silence opposition to Zionism.

The *Livingstone Formulation* today is commonly used by people who are avowed opponents of antisemitism when something they have said or done is challenged as antisemitic. Instead of a sober review of what was said, what was done, what the criticism was, a common response is an energetic counter-accusation of Jewish or 'Zionist' conspiracy.

The Reverend Steven Sizer (2007), a leading supporter in the Church of England of the campaign for Boycott, Divestment and Sanctions (BDS) against Israel, wrote a letter to *The Independent* responding to an argument by the Chief Rabbi that the campaign for BDS was part of an emerging antisemitic culture in the UK. The Synod of the Church, wrote Sizer, would not be

intimidated by those who ... cry 'antisemitism' whenever Israeli human rights abuses in the occupied territories are mentioned.

He went on:

Why has the Archbishop faced a torrent of criticism over [a vote to divest from Caterpillar]? Simple: the people in the shadows know that Caterpillar is only the first [boycott].

Sizer responded to an argument that BDS was antisemitic by alleging that the argument was made in bad faith ‘by the people in the shadows’.

One of the people who leapt to Sizer’s defence against a charge of antisemitism was Jeremy Corbyn, currently the leader of the Labour Party in the UK. Years before he ever imagined becoming leader, Corbyn wrote a letter to the Church of England in support of Sizer, saying that he ‘was under attack by a pro-Israeli smear campaign.’ (Simons 2015). Corbyn employed the *Livingstone Formulation*. Sizer was later banned by the Church from further participation in social media after he promoted an antisemitic article on his Facebook feed entitled: ‘9/11: Israel did it’ (Bingham 2015).

In May 2003, senior Labour MP Tam Dalyell accused Prime Minister Tony Blair of ‘being unduly influenced by a cabal of Jewish advisers’ (Brown & Hastings 2003). Having made an antisemitic remark, Dalyell then responded: ‘The trouble is that anyone who dares criticize the Zionist operation is immediately labelled anti-Semitic...’ (Marsden 2003).

Journalist and founder of *Private Eye*, Richard Ingrams, wrote the following in defence of Ken Livingstone during the controversy about the Finegold affair:

The Board [of Deputies of British Jews] ...thinks nothing of branding journalists as racists and anti-Semites if they write disrespectfully of Mr Sharon.... (Ingrams 2005).

The BBC news website greeted David Miliband's appointment as British Foreign Secretary in 2007 with the following comment:

[his] Jewish background will be noted particularly in the Middle East. Israel will welcome this - but equally it allows him the freedom to criticize Israel, as he has done, without being accused of anti-Semitism’ (Reynolds 2007).

Norman Finkelstein compresses the *Livingstone Formulation* into four words with which he heads a claim on his website that the British Parliamentary Inquiry into Antisemitism was manufactured in order to act as a smokescreen to blot out criticism of Israel's role in the war against Hezbollah in 2006: ‘Kill Arabs Cry Anti-Semitism’ (Finkelstein 2006). Finkelstein has written a whole book on ‘Israel's horrendous human rights record in the Occupied Territories and the misuse of anti-Semitism to delegitimize criticism of it’ (Finkelstein 2005).

Tariq Ali, a well known figure on the British anti-imperialist left since he was a leader of the protests in the UK against the Vietnam War, wrote:

The campaign against the supposed new ‘anti-semitism’ in Europe today is basically a cynical ploy on the part of the Israeli Government to seal off the Zionist state from any criticism of its regular and consistent brutality against the Palestinians (Ali 2004).

Ali transforms everything which worries those who argue that there is a ‘new antisemitism’ in Europe into ‘criticism of [Israel’s] regular and consistent brutality....’ He then states clearly that those who argue that there is a ‘new antisemitism’ are to be thought of as agents of the Israeli Government who are engaged in carrying out its cynical ploy. Ali goes on to state, as the conclusion of his article, ‘To be intimidated by Zionist blackmail is to become an accomplice of war-crimes.’

Sociologist Martin Shaw defended Ali’s use of the *Livingstone Formulation* as follows:

Whether this is a matter of Israeli policy, as Tariq Ali not so unreasonably suggested, I do not know: but it certainly seems to be part of Jewish-nationalist culture (Shaw 2008).

Shaw found it ‘not unreasonable’ of Ali to have suggested that proponents of the ‘new antisemitism’ thesis were cynical agents of the Israeli government. But he offered a more apparently sociologically and sophisticated variant, offering a different interpretation of the intent of the ‘new antisemitism’ theorists. Instead of accusing them of being agents of a foreign government, he accused them of being (perhaps unconsciously) immersed in a Jewish nationalist culture.

Yet later on in the same debate Shaw was drawn back to the authentic intentionalist variant of the *Livingstone Formulation* when he wrote, in relation to Norman Geras and David Hirsh that:

...some Jewish socialists ... use indiscriminate accusations of ‘anti-Semitism’ to discredit the outcry against this and other policies of the Israeli state (Shaw 2008a).

The *Livingstone Formulation* variant used by Caroline Lucas (2008), now a Green Party Member of Parliament, also posited a strong and clear claim about intent:

...Israel has been able to act with relative immunity, hiding behind its incendiary claim that all who criticise its policies are anti Semitic.

Note also the term ‘incendiary’ which implies that the act of making the claim that something is antisemitic is hugely damaging, powerful and malicious.

Johan Hari wrote in his column in *The Independent*:

For months, the opponents of Operation Cast Lead – the assault on Gaza that killed 1,434 Palestinians – have been told we are “dupes for Islamic fundamentalists”, or even anti-Semitic. The defenders of Israel’s war claimed you could only believe the reports that Israeli troops were deliberately firing on civilians, scrawling “death to Arabs” on the walls, and trashing olive groves, or using the chemical weapon white phosphorus that burns to the bone, if you were infected with the old European virus of Jew-hatred (Hari 2009)

A group of antizionist Jews organized a pretend carol service in a London church in December 2008 to protest against Israel. There was criticism of this carol service on the

basis that the changed words of the carols mirrored the blood libel and that they made use of images related to the accusation that ‘the Jews’ were responsible for the killing of Christ. Criticism was also made on the basis that using Christian songs and spaces for an attack on the Jewish state was inappropriate, and there was further criticism of other aspects of the content of the songs. Bruce Kent, the former Catholic priest and leader of the Campaign for Nuclear Disarmament, attempted to deflect criticism of the carol service simply by means of the *Livingstone Formulation*: ‘Anyone who speaks against Zionist policies is labelled anti-Semitic’ (Gledhill 2008).

In February 2009, Labour Peer Lord Nazir Ahmed was sentenced to prison. He had been texting while driving shortly before being involved in a car accident in which somebody died (Swaine 2009). In March 2009, the court of appeal released him and suspended his sentence, saying that keeping him in prison would hinder his work ‘building bridges between the Muslim world and others’ (Paul 2013). In 2012 Lord Ahmed gave an interview in Urdu in Pakistan in which he claimed that a secret conspiracy of Jews in the media, the judiciary and the government had had him imprisoned, ostensibly for texting while driving, but actually because of ‘his support for Palestinians in Gaza’.

The Times published an English translation of Ahmed’s comments. Later in the day, the Labour Party suspended Lord Ahmed’s membership saying that it ‘deplores and does not tolerate any sort of anti-semitism’. Then there was a Twitter exchange between Daniel Finkelstein, Executive Editor of *The Times* and Michael White, Assistant Editor of the *Guardian*. Finkelstein expressed surprise that the Lord Ahmed story had not been in the BBC radio news summaries. Michael White responded:

I agree it’s a stinker and typical of double standards. Pity about the illegal settlements though.

To which Finkelstein replies: ‘What have the settlements got to do with it?’ and ‘Please, no. A Rotherham man is claiming the Jews helped convict him of a driving offence. What has Israel to do with it?’

And White replies with a subtle variant of the *Livingstone Formulation*:

Danny, you’re a good chap, and I know what you’re doing. But it’s not a healthy or wise reflex, quite the reverse (Hirsh 2013a).

Michael White’s claim is that Finkelstein is up to something. He is ostensibly raising an issue of antisemitism but what he is actually doing is something else, trying to deflect attention from the real issue, the ‘illegal settlements’. White sees through this strategy and he publically admonishes Finkelstein.

Other people commented on it and blogged about it trying to raise a scandal. They found White’s connection of Finkelstein’s story about Lord Ahmed with Israel to be itself underhand. White’s implicit charge was that Finkelstein was manufacturing a charge of antisemitism against Ahmed in order to deflect attention from Israeli human rights abuses. Well, Finkelstein’s evident Jewishness was one thing; certainly White also knew that

Finkelstein was also a self-confessed ‘Zionist’ and a defender of Israel; but how was this relevant here?

Adam Levick (2013) described it as ‘a Jew-baiting tweet by the Guardian’s Michael White’ on the ‘UK Mediawatch’ website. He said that Finkelstein is not Israeli and that to raise the issue of Israeli settlements in response to his story about Ahmed was an *ad hominem* attack relating to his Jewishness.

Finkelstein, interestingly, tried to damp down the controversy, saying publically that there was nothing antisemitic about White’s response. Finkelstein evidently understood what was going on but he went out of his way to stop the nuclear bomb of an accusation of antisemitism against a fellow senior journalist being detonated. He preferred to vouch for White’s cleanliness with regards to antisemitism than forensically to follow through the logic of what had happened. It was as though Finkelstein understood that it would make him, not White, look bad if he was seen to go along with these accusations against White. Finkelstein had made the point clearly in his original tweet, but now he drew back from it. To make an accusation of antisemitism explicit is more vulgar than making an antisemitic connection in a tweet.

The University and College Union (UCU) and the Livingstone Formulation

Since 2003, there had been an influential campaign within the UCU to boycott Israeli universities as a protest against Israeli human rights abuses while there had been no similar campaign against the universities of any other state. Some opponents of the boycott campaign argued that this singling out of Israel was antisemitic in effect or that it brought with it into the union antisemitic ways of thinking and antisemitic exclusions (Hirsh 2014). Supporters of the campaign, as well as some opponents, objected strongly to the raising of the issue of antisemitism, arguing that it constituted an *ad hominem* attack against ‘critics of Israel’.

From the beginning, the boycott campaign sought to protect itself against a charge of antisemitism by including clauses in its boycott motions which defined antisemitism in such a way as to make its supporters not guilty.

At the Association of University Teachers (AUT) Council in 2003, Motion 54 was passed:

Council deploras the witch-hunting of colleagues, including AUT members, who are participating in the academic boycott of Israel. Council recognises that anti-Zionism is not anti-semitism, and resolves to give all possible support to members of AUT who are unjustly accused of anti-semitism because of their political opposition to Israeli government policy (UCU 2003).

A witch-hunt involves accusing individuals of something which could not possibly be true: witchcraft. To characterise an accusation of antisemitism as a witch-hunt implies that it, similarly, could not possibly be true. The statement that ‘anti-Zionism is not anti-semitism’ is formally true. And nobody could argue against the resolution to support members who are unjustly accused of antisemitism, unless it was a purposely ambiguous way of insisting that

all accusations of antisemitism which relate to Israel or to the boycott or to political opposition to Israeli government policy must be unjust.

At the National Association of Teachers in Further and Higher Education (NATFHE) conference in June 2005, a motion was passed which included the text: ‘To criticise Israeli policy or institutions is not anti-semitic’ (Osborne 2005). This seems oblivious to the fact that some kinds of criticisms of Israeli policy or institutions may be antisemitic while other kinds may be legitimate; it depends on the content of the criticisms.

The first Congress of the new UCU, the result of the merger between NATFHE and the AUT, passed a motion which stated that ‘criticism of Israel cannot be construed as anti-semitic’ (Hirsh 2007a). While the motion supported a boycott, the antisemitism clause referred only to ‘criticism of Israel,’ the implication being that boycott falls within the protection afforded to ‘criticism.’ The ‘cannot be construed as’ element implies that there is somebody who is active in trying to ‘construe’ criticism as antisemitic.

The ambiguity of the motion was not accidental, since Congress explicitly rejected an amendment to clarify the wording so that it would read as follows:

While much criticism of Israel is anti-semitic, criticism of Israeli state policy cannot necessarily be construed as anti-semitic (UCU 2007).

The way Congress clings onto the ambiguous formulation is telling. Congress requires a form of words which subsumes everything that it might want to do into a legitimate category of ‘criticism’. It steadfastly refuses to concede that any kind of criticism of Israel, or anything which resembles criticism of Israel, can be antisemitic.

UCU Congress in 2008 passed a similar motion which was supportive of a boycott. This time the wording on antisemitism was as follows: ‘criticism of Israel or Israeli policy are [sic] not, as such, anti-semitic.’ This form of words dressed up all sorts of possibilities as ‘criticism’ and reassured us that ‘as such,’ it is not antisemitic (Geras 2008).

Finally, UCU Congress adopted a motion to disavow and to discredit the European Union Monitoring Commission (EUMC) working definition of antisemitism, which is a framework for making judgments as to what kinds of hostility to Israel are antisemitic and what kinds are not.

UCU’s long pre-history to the disavowal of the EUMC definition is consistent. Each new form of words refuses the straightforward position that some kinds of hostility to Israel are antisemitic while other kinds are not. Instead, each specifies that criticism of Israel is not antisemitic, and it implicitly subsumes all kinds of hostility and exclusions under the category of ‘criticism’. Practically, the result was to open up a loophole in the union’s guarantees against racism and bigotry. The one kind of racism which was explicitly excluded from the guarantees was any antisemitism which could be seen as taking the form of criticism of Israel (Hirsh 2012).

Representatives of key institutions of the Jewish community in Britain judged this disavowal to be the last straw, and said that it was a manifestation of what they called ‘institutional antisemitism’ within the union. Jeremy Newmark, Chief Executive of the Jewish Leadership Council said, ‘After today’s events, I believe the UCU is institutionally racist’ (Bright 2011). His view was echoed by Jon Benjamin, the Chief Executive of the Board of Deputies of British Jews, who said ‘the UCU has... simply redefined “antisemitism”... The truth is apparent: whatever the motivations of its members, we believe the UCU is an institutionally racist organisation’ (Paul 2011).

In 2012 Ronnie Fraser, a UCU member, sued the union under the Equality Act (2010). He argued that the boycott campaign had imported an antisemitic culture into the union and that the union itself had been complicit in allowing this culture to take hold.

Thirty four witnesses gave detailed evidence for Fraser: academics, Jewish communal leaders, trades unionists, Members of Parliament.

Part of the evidence given to the tribunal was that the key mode of intimidation in the union had been the relentless accusation of bad faith directed against those who opposed the boycott culture; these explicit opponents were mostly Jews. It had become normal in the union to accuse Jews of lying if they raised the issue of antisemitism. When people raised the issue of antisemitism they were not to be believed, because really, it was said, they were only trying to silence legitimate criticism of Israel. In January 2010 I myself was asked by the union to speak in Brighton on the topic of ‘Antisemitism, the Holocaust and Resistance, Yesterday and Today’. I talked about the record of antisemitism within the union (Hirsh 2010). Tom Hickey, a union official and academic colleague, in public and in front of the General Secretary, said that everything I had said was a traducement of the truth and ... a straightforward lie and the author knows it (Symons 2010). As a witness in the Fraser case, I explained the significance of the relentless accusation of bad faith to the tribunal. In their description of the event they wrote in their judgment:

Mr Hickey responded to Mr Hirsh’s remarks. He denounced them as unwarranted and false (Judgment 2012).

The tribunal decided not to consider the point about the relentless bad faith allegation. It just left it out of its description and out of its deliberation.

The tribunal found that ‘at heart’ the case represented ‘an impermissible attempt to achieve a political end by litigious means...’ (para 178). What political end? The Tribunal accepted the union’s case that the witnesses who gave evidence of antisemitism were really engaged in a common plan dishonestly to defeat or silence campaigns against Israel. This would certainly be impermissible in an Employment tribunal, which is rightly concerned with issues such as antisemitism, racism and sexism.

Of course the fight against antisemitism is also political. But this cannot be the kind of politics to which the tribunal objected. If it was, then it would find every allegation of

racism, sexism or homophobia to be impermissible. Opposition to antisemitic politics has always been central to campaigns against antisemitism.

The tribunal made clear that it meant that Fraser was trying to mobilize a bad-faith allegation of antisemitism in order to silence good-faith critics of Israel when it went on in the next paragraph:

We are also troubled by the implications of the claim. Underlying it we sense a worrying disregard for pluralism, tolerance and freedom of expression....

The tribunal judged that Fraser was trying to fool it into outlawing and branding criticism of Israel as antisemitic. Of course, every racist claims that anti-racists disregard their right to free speech. True, sometimes the tribunal appeared to veer towards the view that those who complained of antisemitism were simply over-sensitive and lacking in objective judgment. But the central findings, that this was politics dressed up as litigation, and that this was an attempt to disallow free criticism, were allegations of bad faith.

Fraser said that the key mode of intimidation in the UCU was the relentless allegation of bad faith, the allegation that Jews who said they experienced antisemitism were actually lying for Israel. The tribunal replied that the Jews who said they experienced antisemitism were *indeed actually* lying for Israel – they were dressing up a political end as a problem of racist exclusion.

The tribunal answered that the culture in the union which related to those who complained of antisemitism as dishonest dissemblers was in fact entirely appropriate. The tribunal's written judgment itself constituted a judicial instance of the *Livingstone Formulation*.

Conclusion

The *Livingstone Formulation* is a refusal to regard antisemitism as an objective social phenomenon and it is a refusal to enter into reasoned discussion about what constitutes antisemitism. It is a counter-accusation of bad faith. While concern about racism in general is regarded with a presumption of seriousness, concern about antisemitism has to clear the hurdle of a presumption of Zionist bad faith.

The *Livingstone Formulation* is a discursively coercive response, which bundles the person who raises the issue of antisemitism over the boundary of legitimate discourse (Hirsh 2010a) and outside of the community of the progressive or the community of the good. It is coercive in the sense that it refuses reasoned examination, it refuses to debate the claim, it refuses to try to persuade. Instead it constructs and enforces the boundaries of the community of the good by other means: the *ad hominem* attack, the conflation of everything into 'criticism' and the refusal even to consider the possibility of antisemitism within the community of the progressive. By its accusation of silencing it silences; by its accusation of bad faith it refuses a hearing.

Alain Badiou, the celebrated philosopher, defines antisemitism as being unthinkable within the progressive community: there 'could be no such thing as a far-left anti-Semitism'; the

very idea is an ‘absurd oxymoron’, he writes (Badiou 2014). Antisemitism occurs *there* on the right, it does not occur *here* on the left, among antiracists or among scholars. Even though some facilitators of this culture do concede in general terms the *possibility* of left wing antisemitism, they tend to find that any particular case is a bad-faith Zionist smear.

The *Livingstone Formulation* is in fact a specific instance of a wider phenomenon. Preferring to define opponents as not belonging rather than seeking to win them over is an increasingly mainstream characteristic of left wing culture. Opponents are constructed as being outside of the community of the good or the progressive. This licenses their treatment as ‘other’, impermeable to political argument, reason and evidence.

The *Livingstone Formulation* is a key element in the ascendancy of the politics of position over the politics of reason and persuasion (Hirsh 2015). Hostility to Israel is becoming more and more a marker of belonging on the contemporary left. The *Livingstone Formulation* clears the way for this kind of hostility and it inoculates the progressive movement: not against antisemitism itself, but against having to take the issue of antisemitism seriously.

Young antiracists, both activists and scholars, are inducted into a culture where those who raise the issue of antisemitism are recognised as being reactionary while those who are accused of being antisemitic are recognised as defenders of the oppressed and courageous opponents of imperialism.

Two things follow from this. First, in this culture, young antiracists are no longer educated to recognise or to avoid antisemitism and they are no longer given the knowledge or the conceptual tools with which to do so. They are not taught what the *Protocols of the Elders of Zion* are, what blood libel is or how to recognise conspiracy theory; they are no longer educated in the antisemitic history of some currents of their own movement. They are taught to understand the Holocaust as a universal lesson against racism but not as a catastrophe relating to Jewish history, to antisemitism in particular and to Zionism.

The second thing that follows is that expulsion from the community of the good is normalized as a way of dealing with dissent. Expulsion does not stop with raisers of the issue of antisemitism but also comes to seem appropriate for people who raise other kinds of disagreement too. And the story of dissenters being dealt with coercively is another part of the history of the progressive movement which is not taught as thoroughly as it might be, nowadays.

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