

Response by David Hirsh to the new 'SOAS Charter on Racism, Antisemitism and All Forms of Cultural, Ethnic and Religious Chauvinism' which appears to have been published in response to questions about institutional antisemitism at SOAS

<https://www.soas.ac.uk/admin/governance/policies/file152213.pdf>

SOAS received a complaint from a Jewish student that it had a toxic antisemitic environment. SOAS did not investigate the claim, and when the student appealed, SOAS was told to investigate it by its own appeals panel. SOAS paid the student £15,000 in compensation apparently for the harms that he had alleged, but it still refused to investigate whether his claim was true or not, and therefore whether he had in fact suffered those harms, or not.

Now SOAS has been asked whether it has a toxic antisemitic culture but it cannot answer that question because it has not carried out an inquiry. The specifics of the inquiry that it should have carried out were detailed and agreed unanimously by its own appeals panel. *[See below]**

Instead of finding out whether it has an antisemitic culture, SOAS has now published a new policy which states that it abhors 'all forms of chauvinism and discrimination' and that it stands 'against antisemitism and all other forms of cultural, ethnic and religious chauvinism'.

Writing a new policy on antisemitism does not tell SOAS whether it is, or is not, a hostile environment for Jews. First it must determine what the situation actually is, only then can it write policy to address the problem, if there is a problem.

It is not appropriate to respond to a specific claim about institutional antisemitism, with policy referring to 'all forms of' chauvinism, discrimination, and other forms of cultural, ethnic and religious chauvinism. SOAS needs to address the specifics of the claim relating to antisemitism.

SOAS ought to have understood that the 'antisemitism and all other forms of racism' formula, which is familiar from its routine deployment by the Corbyn led Labour Party, would ring alarm bells in the Jewish community. It was a formulation which always accompanied angry but meaningless denials of the specific charges of antisemitism.

Antisemitism is not a form of 'cultural, ethnic and religious chauvinism'.

The new policy says:

Political advocacy may use the legitimate demands of... calls against antisemitism... to deflect from critical academic and political scrutiny.... Religious fundamentalists may equate religion and state, and demand not only acquiescence from all those within their nations who oppose their agendas but also silence others including scholars and journalists who subject their actions and words to critical reflection and scrutiny. Ethnic and racial chauvinists across the world act in a similar manner to shield themselves from criticism.

Insofar as this new policy is a response to the claim that there is a toxic antisemitic environment at SOAS, this part of it could all too easily be read as the standard antisemitic denial and counter-accusation that I have named the *Livingstone Formulation*. This is a standard response specifically at SOAS, frequently deployed both by staff and by students there. In the context of this specific claim, that there is a toxic antisemitic environment at SOAS, this response could all too easily be interpreted as an accusation made against the student who made the claim, that he did so dishonestly, in the course of pro-Israel political advocacy, in the hope of shielding Israel from criticism, and not because he believed it to be true. If the policy is interpreted in this way it could constitute a serious violation of the Macpherson principle. It could also be a violation of the

Principle's re-statement specifically relating to antisemitism, in the EHRC report on Labour antisemitism. The EHRC report singled out this kind of treatment of people who say they have experienced antisemitism as one of the key 'types of antisemitic conduct that amounted to unlawful harassment':

Labour Party agents denied antisemitism in the Party and made comments dismissing complaints as 'smears' and 'fake'. This conduct may target Jewish members as deliberately making up antisemitism complaints to undermine the Labour Party, and ignores legitimate and genuine complaints of antisemitism in the party.

While it is possible that an inquiry might, in the end, have determined that the claim of antisemitism was indeed made in bad faith and for political reasons, this is not possible in this case, since there was no inquiry.

* The appeals panel unanimously agreed to specify that SOAS should carry out its investigation into the claim that it has a toxic antisemitic environment in the following ways:

4. This Stage 2 Appeals Panel understands the term 'toxic, antisemitic environment' to refer to 'institutional antisemitism'. The Macpherson Report gives the following definition of 'institutional racism' which should function as a model for 'Institutional Antisemitism':

6.34 'Institutional Racism' consists of the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.

The new Stage 1 Investigation should also draw upon the Equality Act (2010) and the International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism for its understanding of 'toxic, antisemitic environment' and 'institutional antisemitism'. *[If the appeals panel had sat after the EHRC report into Labour antisemitism, it might have included that document also in this list.]*

5 This Stage 2 Appeals Panel recommends that the new Stage 1 Investigation should be carried out by a panel of three people.

6 To decide whether there was a 'toxic, antisemitic environment' at SOAS and/or its Student Union, an external process is required because it would not be appropriate for SOAS or its Student Union to investigate their own cultures. The members of the new Stage 1 Panel should not be associated with SOAS or with its Student Union.

7 Following the Macpherson principle, the members of the new Stage 1 Panel should all be people who can command the confidence of the Jewish community and its leading institutions. They should be selected in consultation with the Union of Jewish Students and with the Government's Independent Antisemitism Advisor.

8 This Stage 2 Appeals Panel recommends that the new Stage 1 Panel should include an academic who is familiar with the academic research and debates on contemporary antisemitism and it should include somebody of stature and experience in public life who would add to the public confidence in the process.

...

12 SOAS and its Student Union may, at this stage, decide to come to a settlement with Noah but if they do, they should still go ahead with an independent investigation, as defined in this finding, of the key issues at stake in this case.

The appeals panel were also specific about the following:

11 SOAS, in consultation with the new Stage 1 Investigation, may decide that this new investigation into an alleged 'toxic, antisemitic environment' at SOAS and/or the Student Union should not limit itself to the precise time frame of Xxxxxxx's attendance but should come to a judgement about the issue to the present day.