

# Prophecies of Self-Determination and the Authority of the Word: The Era of the International Holocaust Remembrance Alliance

David Goldberg

---

**Abstract:** In 2019, accusations of antisemitism in British national politics coincided with calls in Israel/Palestine for a state with equal political rights. These issues coalesce in contesting the meaning 'self-determination' in the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism. I consider the term 'self-determination' by examining the relations between the mythic and the political, the inclusions and exclusions of people from the political community. The paper begins with an example of the interconnections between the mythic and the political. The paper examines the term 'self-determination' within the IHRA definition. The definition is understood in two contexts: the Stockholm Declaration, the founding document of the IHRA; and, Israel by its constitutional laws. The last part examines the IHRA definition as moral and civil law. I end by suggesting that the UK government define the term, 'self-determination' in the IHRA definition as this may enable accusations in British politics to turn to dialogue.

---

The privileged texts examined in this paper are:

- the IHRA Stockholm Declaration<sup>1</sup>;
- the IHRA working definition of antisemitism and<sup>2</sup>;
- the Basic Law: Israel - the Nation State of the Jewish People<sup>3</sup>

Keywords: IHRA, Israel/Palestine, Self-determination, Political theology, Moral law

---

David Goldberg is retired from working as an adolescent psychiatrist. When talking with families he became interested in how personal identity and family myths change over generations in relation to violence and displacement. He is a secular British Jew who supports the democratic opposition in Israel, freedom of speech in the United Kingdom, and the institutions of international law. He is on the executive board of Jews for Justice for Palestinians which calls for human rights for all in Israel/Palestine, an end to illegal occupations and a 'two state' solution.

I would like to thank Professor Bento for his comments at Garrick's Temple (Bento, 2017) and others for their comments on earlier drafts. The views expressed here, as well as the mistakes, are mine.

1 Available at: [www.holocaustremembrance.com/index.php/stockholm-declaration](http://www.holocaustremembrance.com/index.php/stockholm-declaration)

2 Available at: [www.holocaustremembrance.com/node/196](http://www.holocaustremembrance.com/node/196)

3 Available at: [knesset.gov.il/laws/special/eng/BasicLawNationState.pdf](http://knesset.gov.il/laws/special/eng/BasicLawNationState.pdf)

## Introduction

Public debate has become increasingly conflictual; xenophobia and racism appear to be increasing in virulence. The UK government response was adoption of a definition of antisemitism which gives as an example the denial of the Jewish people their right to self-determination. This presents me with a dilemma. If Jewish 'self-determination' refers to all the Jewish collective throughout the world having rights in the land of Israel, the rights for 'self-determination' of all the inhabitants of Israel/Palestine may be constrained. Born in the shadow of the Second World War, I exist within two sequelae of the Holocaust: international law based on concepts of human rights, and Jewish nationalism based on ideas of self-determination. My response is to try to enter into dialogue within the UK context about this right of self-determination.

This paper examines the term 'self-determination' in the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism. The aim is to find a space for dialogue without fear of denunciation (Harpin 2019b). I start from a position that we are all polarised within a complex cultural dynamic. Few, if any, can be an outsider; most have grown up within the mythic structures related to the Christian inheritance of the western world, the Jewish experience of the Holocaust, and political upheavals in the Middle East. Even the academic theories we use to understand this situation are interconnected with the cultural history of these ideas. In these circumstances, how can denunciation turn to dialogue?

## Methodology

The IHRA working definition of antisemitism gives as one of the examples of possible antisemitism as '[d]enying the Jewish people their right to self-determination'. In 2019, I attempted to understand the meaning of 'self-determination' by examining the full definition in the context of texts to which it refers. The IHRA definition begins by referring to the 'spirit of the Stockholm Declarations', the statement which founded the IHRA. The definition also names the state of Israel. In textual terms, this is represented by its constitutional laws, the relevant Basic Law being 'Israel - The Nation State of the Jewish people' (Knesset 2018). I hope the readers will take the opportunity to read these three privileged documents prior to proceeding with this article; it may enable them to come to a different view from mine and thus open up a dialogue.

On my first reading, I was confused; did I as a British Jew have a right to self-determination in the land of Israel and did that right supersede that of Palestinians then demonstrating for their rights (Wikipedia, October 2019)? I therefore moved from a reader-response position to one of textual analysis. I had hoped that Jurgen Habermas' Theory of Communicative Action would help me structure a response

(1986), but found that I could not use this model to explain the relationship between history and myth emerging from the IHRA definition. I therefore found myself embracing Martin Buber's use of mythical hermeneutics. History and myth are not exclusive categories; myths are woven into our understanding of history, becoming part of our identity and future as we enact our understanding of the implications of history as we see it (Ohana, 2019). While I am sympathetic to Buber's desire for dialogue to access transcendence in 'I and thou,' I worried about his usage of messianism (Ohana, 2011). Buber's model did not provide me with the answer as to who has the temporal authority to define 'self-determination.' I therefore moved from Buber's political theology to that of Carl Schmidt and his critic, Ernst Kantorowicz. In my changing approach I had criss-crossed thinkers who had responded to history they lived through, particularly the Jewish Holocaust. Those now debating 'self-determination' of the Jewish people are a generation away from the Holocaust.

The paper is divided into sections. The first section describes a prophecy, calls for a democratic Israel/Palestine. The degree of hope or dread gives messianic intensity, the presence of death provides immediacy. The second section provides an example of the political debate in the United Kingdom during the time of this study. The aim is not to further polarise the discussion, which it may indeed do, but to illustrate the issues involved. Only by studying our disagreements may we find the space for relevant dialogue. The third and longest section examines the term 'self-determination' in privileged texts. The fourth section develops an emergent concept of moral law, in contrast to civil law. The paper ends with a suggestion that the UK government clarifies the term 'self-determination' in guidance it has adopted, or at least, provides the legal context. This may enable denunciations to dialogue by promoting stability of terminology.

## **Part One**

### ***Prophecy***

I read a report that a man with flowing white hair declaimed from a podium: 'The Palestinian people want democracy. . .If there is no democracy, there is no point in anything. We must concentrate on building democracy, to stand against those who don't want democracy, who control everything.' This declamation was made during a videoconference between people from Gaza and the West Bank, entitled 'The Palestine Authority: Between Survival and Collapse,' organised by Masarat, a Palestinian policy unit (Hass, 6 July 2019).

Two months earlier, the Reut Group, an Israeli policy unit, published a warning on their website: Israel will be faced with a crisis if, and when, the Palestinian Authority collapses, 'accompanied by an official Palestinian declaration that they no longer

demand an independent state, but rather demand that Israel give full civil rights to Palestinians' (Reut Group, 5 May 2019). Both policy units voice the same prophecy, that of full equal rights for Jews and non-Jews in Israel/Palestine: one as a hope for existential survival and the other as threatening extinction. The Reut Group prioritises the 'right of the Jewish people to self-determination in the State of Israel' in a democratic state (Reutgroup 2019) while the Masarat speaker prioritises democracy as equality for all in Israel/Palestine. The desire for democracy, with equality for all in Israel/Palestine is a threat to the counter-prophecy of unique national self-determination of the Jewish people in the State of Israel.

I understand these calls for democracy as prophecies; they are a prediction for the future, a commitment to act to materialise these hopes, a determination to follow through even with the threat of exterminating violence and a messianic hope that democracy will bring peace.

## **Part Two**

### ***Illustration***

To guide the discussion, I have written this illustration to examine how I understand the relation between the mythic and the political within the current debate about antisemitism.

On 19 May 2019, a senior past-president addressed a meeting of the Board of Deputies of British Jews; the ambassador of the state of Israel was in attendance. The past-president thanked the current president in extravagant terms for her 'excellent letter' to the leader of the UK parliamentary opposition, Corbyn. 'Perhaps,' he then continued, 'there was one thing you omitted to say and that is this. The word 'corbyn' is very suitable for him, as the word 'corbyn' in Hebrew is korban, which is a sacrifice. I think we should sacrifice him for all the trouble he has caused' (my transcript from the Canary website, 28 May 2019).

The analogy, 'Corbyn as ritual sacrifice' alludes to two sets of related myths. For the audience listening, 'korban' was probably the ritual slaughter, including when small parts of an animal were burnt on the altar of the Temple in Jerusalem. Corbyn becomes 'kosher' in ritual slaughter, Judaised in death. For the followers of popular media, where Corbyn was pictured as a Christ figure, (Harpin, 2019c; Horton, 2105; Middleton, 2016; Moore, 2018), Corbyn becomes the lamb of God, who is offered as a sacrifice by the Board. The trope becomes an inverse 'blood libel'. The use of the trope 'sacrifice' refers to sacred violence, while denying actual physical violence. These myths were not articulated: it is I who perceived them. These ill-defined myths gain meaning in their overall context, in this case, the 'excellent' letter.

The letter, which the past-president praised, was, I believe, the Board's letter on behalf of the Jewish community demanding that Mr Corbyn answer allegations of 'pure and unequivocal racism' (Board of Deputies of British Jews, 3 May 2019). This letter appeared to demand that Mr Corbyn admit to being an anti-Semite, the consequences of which would be the loss of his post as leader of Her Majesty's Opposition, and a decrease in the likelihood of British recognition of a Palestinian state. In support of the main accusations of antisemitism, Mr Corbyn had 'unsuccessfully attempted to dilute the international definition of antisemitism that was adopted by the Labour Party.' The term 'dilution' is a metaphor which implies an analogy of completeness and perfection. The modification that Mr Corbyn had suggested, to the National Executive Council of the British Labour Party, would curtail an essential component of the definition and/or has shown disrespect. On 3 September 2018, Mr Corbyn had recommended an addition to the Labour Party's use of the IHRA definition attempting to modify one of the illustrative examples of the definition of antisemitism: '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' (Sabbagh, 4 September, 2018).

My assumption is that the past-president would have understood the term 'self-determination of the Jewish people' as referring to national self-determination in the land of Israel as defined by the state of Israel, while Mr Corbyn saw the term as meaning local self-determination in the internationally recognised state of Israel within 1967 borders. The past-president saw self-determination in terms of Israeli constitutional law, while Mr Corbyn was seeing self-determination in terms of British foreign policy within international law. This distinction is important as a single democratic nation state of Israel/Palestine with equality of civil rights of Israelis and Palestinians, were it to exist, would replace the right of national self-determination of the Jewish people in the land of Israel with the right of self-determination of all inhabitants of Israel/Palestine.

### **'Tropes'**

The analogy, 'Corbyn as ritual sacrifice', acts as a 'trope'. Though 'trope' is a technical linguistic term referring to the figuration of language, such as metaphor, this term is being used, or misused, in common usage (Marsh, 29 September 2011). More recently it is used to describe the words or phrases which impute sinister stereotypes with power to dehumanise and demonise others (Silow-Carrol, 20 February 2019). Currently 'trope' is used to describe words which imply myths that are not explicitly stated but understood by the listener. For instance, the phrase 'Cultural Marxism' is said to be a trope for antisemitism, presumably based on the myth that evil international communism was spread by Jews (Sugarman, 26 March 2019). The word, 'trope', used in this way, is similar to dog-whistle politics in the United States. Here political messages use coded language, possibly innocuous to the general population,

but recognisable by people holding similar prejudicial views. The analogy is that of a dog whistle, whose ultrasonic tone is heard by dogs but inaudible to humans (Lopez 2015).

I use the term 'trope' to name the process by which words gain mythic resonance with prophetic implications. These myths may allocate inherent moral qualities or capacities to the designated group which predict their relations with other groups. These myths are based either on putative history which I call 'historical myths' (such as Holocaust denial) or on socially legitimated myths which I call mythic history (such as the Bible acting as a legal charter to the land of Israel). The word 'trope', deriving from the verb to 'turn towards', moves meaning from a limited literal meaning towards a wider context. Each trope gains social power by relying on people not explicitly stating the associated myth but presuming that others recognise the myth and support the prophecy implied. The same word can have differing mythic resonances depending on the culture and experience of the speaker and hearer. Tropes lose their social power when they cannot enrol others in agreement with the mythic prophecy. Explanation of the mythic resonances defuses the power of the trope, while denial of their mythic resonances increases the sense of power to determine history.

## **Part Three**

### ***Adoption of the IHRA definition***

The UK Government formally 'adopted' the IHRA working definition of anti-Semitism on 12 December 2016. In a speech made on the same day, Prime Minister Theresa May said the adoption meant: 'There will be one definition of anti-Semitism – in essence, language or behaviour that displays hatred towards Jews because they are Jews – and anyone guilty of that will be called out on it' (Torrance, 4 October 2018). The government is said to have adopted all the illustrative examples which include reference to the self-determination of the Jewish people. The definition, to my limited knowledge, is unusual within the UK anti-discrimination legislation in that it refers to two states, Britain and Israel, with no reference to an international legal framework outside the International Holocaust Remembrance Alliance. Britain is a member of the IHRA. This is an inter-governmental organisation with envoys from 31 countries, all European or in North America with the exception of Argentina and Israel. All IHRA countries, except Israel, accept the oversight of the UN Committee on the Elimination of All Forms of Racial Discrimination (United Nations Treaty Collection, 2016).

### ***The Holocaust (Shoah)***

The word 'Holocaust' orients my reading of the definition. The Stockholm Declaration, states that 'The Holocaust (Shoah) fundamentally challenged the

foundations of civilisation. The unprecedented character of the Holocaust will always hold universal meaning' (Article 1, IHRA 2000). Though the 'universal meaning' is not revealed, the Declaration's prophecy is clear: the Holocaust can and perhaps will happen again. Forgetting, minimising and denial make it more likely. The 'Holocaust (Shoah)' is the suffering of the Jewish people, its magnitude and horror are transmitted in the text by using such words as 'seared', suggesting fire, and 'engulfed' suggesting being overwhelmed or consumed. The overarching metaphor pictures past and future holocausts as darkness; education and knowledge of the Holocaust (Shoah) as light. I envision an engulfing firestorm over the body of Europe, leaving burnt bodies and barren vegetation. The metaphors come in sequence: the memory of the fire gives light to the present: from overwhelming personal suffering through visions of fire to light among the shadows, and on to justice grounded in the earth, a 'commitment to plant the seeds of a better future amidst the soil of a bitter past' (Article 8, IHRA 2000).

I probably started using the words 'the Holocaust' in the 1970s; but it was present before. When I was a child, there was the time before 'the war' and a time after. This mood was apparent in darkened sitting rooms with elderly people. It was looking at old photographs and arguing in many languages who was who. It later gained words such as 'Dachau' and 'Theresienstadt'. I knew I was being protected from something which had transformed the world. Later it became a muddle of story fragments attached to people, stories which did not fit together well, deadening silences and grey-brown photographic images. It gained a name for me in the early 1960s, the Destruction of the European Jews, and became a consistent story when sited away from me in a glass cage in Jerusalem as my parents discussed Eichmann's trial (1961).

As a young adult, the Holocaust, which had already shifted from being an enormous void to an emotion evoked on meeting people, moved on to become a moral history with the clarity of good and evil. By the time of Lanzmann's film, Shoah (1985) the Holocaust moved into a single history, an ethnic history with 'universal meaning'. In this way the words 'the Holocaust' moved from evoking nameless pervasive mood, to personal stories, usually fragmented, to a universal history with a clear moral: the Holocaust gained a capital H. Later the word Shoah made it more personal and gave it a mythic resonance, of survival marked by each year's Passover survival.

Dictionaries give three meanings to the word 'holocaust':

1. the systematic mass murder of Jews and other groups by the German Nazi regime;
2. destruction and slaughter on a mass scale, especially caused by fire or nuclear war. A nuclear holocaust brings to my mind Dr Strangelove (1964) and the Cold War of the Cuban missile crisis (1962) as well as

the Sampson option: the threat of nuclear catastrophe when the state of Israel's physical existence is threatened (Hersh 1991);

3. historical reference to a Jewish sacrificial offering burnt completely on an altar (Douglas, 2001). Activists, ambitious to build the third Temple, recently made sacrificial offerings on the Temple Mount (Hasson, 2018). Maybe it was this sacrifice to which the past-president referred. Meanings of the word 'holocaust' link building the Third Temple and the Nazi destruction of European Jews. In Christian Zionist eschatology of the End Time, the Great Tribulation and the Rapture all three meanings of the Holocaust come together especially in imagery (Sizer, 2014). If I am correct, when the Jews return to Israel, Christ will appear in a cataclysmic event consuming the world. The word 'Holocaust' has both mythic power and historical reality at the same time.

### ***The Spirit of the IHRA Stockholm Declaration***

The IHRA definition of antisemitism is written 'in the spirit' of the Stockholm Declaration, the founding document of the IHRA. The phrase, 'in the spirit of', has wide associations: first, a metaphysical or sovereign authority acting as a guide; the manifestation of a benevolent God, the holy spirit of Christianity; or, a providential law providing universal meaning. The Stockholm Declaration is written in the tradition of European political philosophy, a secular tradition growing out of Christian political theology (Royce, 2017). Hegel's 'Phenomenology of the Spirit' (1809) comes to my mind, whereby European and other peoples gain self-actualisation through history (Ferro, 2019). There is also a legal-sounding reading of 'in the spirit of': the intention of the British legislators as recorded in discussions in Hansard.

The spirit is a compact, a covenant between secular legal philosophy and religious 'tropes'. For me the spirit of the Stockholm Declaration is Holocaust Remembrance. As the last witnesses die, Remembrance consists of social actions to remember the dead, such as the rites of remembrance days, and visits to sites of massacres and museums. Remembrance, rather than remembering, is a communal action intimately linked to peoples' sense of belonging to a group or a nation. Individuals remember and reflect during communal remembrance. The Stockholm Declaration is a statement of social remembrance by envoys of states and is addressed to individuals and institutions the world over. The spirit of the Stockholm Declaration is universal solidarity and enlightenment, using the metaphor of light and redemption, to eliminate racial genocides.

The Reut Group's mission statement 'aspires for the State of Israel to serve as a leading light among nations' and similarly merges the light of moral enlightenment,



radiating to the whole world, from the actualisation of the state to the physical lights of the menorah. This is in stark contrast to the European conflagration, the ovens of Auschwitz and the world-consuming fires of the Great Tribulation and nuclear Armageddon. The Stockholm Declaration is a prophecy intended to prevent the next holocaust by enacting secularised ideals from Christian Europe to further Jewish destiny. This movement from mass murder and ethnocide to moral redemption and the establishment of a state is performed by moving from the tropes of 'light' to that of 'land'.

### ***The IHRA definition of antisemitism***

The definition begins by quoting the Stockholm Declaration's exhortation to share a solemn responsibility to fight the evil of ... antisemitism and xenophobia. (Three dots replace the words, 'genocide, ethnic cleansing, racism'). The core of the IHRA's non-legally-binding working definition of antisemitism is framed in a prominent black box. The style of writing changes from the declamatory to technical guidance:

Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities.

The core statement contains a modal, the word 'may', when referring to a 'certain' perception. What constitutes a 'a certain perception' is not defined. The modal, 'may', introduces fluidity and uncertainty (Tomlinson 2017). The definition focuses on two aspects of the word 'perception': first the ability to see, hear, or become aware through the senses of something outside oneself; the second aspect is an understanding, intuition or insight into the way something is regarded, known or interpreted. Thus, there may be a difference between the person alleged to have made an antisemitic reference and a second person perceiving that that person has made an antisemitic statement. The question becomes 'Who decides whose perception takes precedence?' The Macpherson Report (para 45.16 and 45.17, 1999) identified the victim's perception as being a ground for investigation. Over a few days in July 2018, the existence and meaning of the 'Macpherson principle' was debated: was antisemitism judged by the perceiving victim or the relevant authority? (Elgot, 16 July 2018; Institute of Race Relations; 16 July 2018; Sedley, 18 July 2018; Sugarman, 20 July 2018).

### ***'Self-determination' in the IHRA definition***

The framed definition of antisemitism is elaborated by a series of illustrative examples which may guide the IHRA in naming antisemitism. One focuses on the right of self-determination: 'Denying the Jewish people their right to self-determination, foe

example, by claiming that the existence of a State of Israel is a racist endeavour.' Self-determination has two poles of meaning. First, self-determination is the free choice of one's own acts without external compulsion, as developed in philosophy and individual psychology. The second meaning of self-determination is the choice by a people of their own future political status, a meaning developed from international law. The term links our metaphysical sense of personal identity, the free choice to control one's own acts, to political self-determination of the government of a territory or 'land'. The concept 'self-determination of a people' has two applications: national self-determination within a discrete territory, and second, local, even individual, self-government within the state. The definition does not clarify over what territory the Jewish collectivity has self-determination – over the territory recognised by the international community, the territory claimed by the State of Israel, or the Land of Israel from Wadi of Egypt to the great river, the Euphrates (Genesis 15:18).

There appear to be at least two definitions of self-determination within the IHRA working definition as adopted by the UK government: first, self-determination as defined in the State of Israel's constitutional laws; and, second, self-determination as understood by the UK government in continuity with the Balfour Declaration (1917). The first specific reference to the term 'self-determination' in Israeli constitutional law appears to be the Basic Law: Israel - the Nation State of the Jewish People (Knesset, 19 July 2018). This is said to have superseded the Declaration of the Establishment of the State of Israel (Israel 1948) which acknowledges the patronage of the Balfour Declaration (1917). The Balfour Declaration stated that the UK government at the time supported 'the establishment in Palestine of a national home for the Jewish people' in which 'nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine.' The Balfour Declaration suggests equality of civil rights in Israel/Palestine. The Declaration of the Establishment of the State of Israel ensures 'equality of social and political rights to all its inhabitants irrespective of religion, race or sex'. However, there appears no reference to 'equality' within current Israeli constitutional law; specifically, no guarantee within Basic Law: Human Dignity and Liberty (Knesset, 1992). Currently the principle of equality is said to be reversible by ordinary legislation; furthermore, it will not override statutory or judge-made laws (Dinstein, 1996).

Other terms in the IHRA working definition of anti-semitism also have two poles of meaning. 'The Jewish people' has two poles of meaning: one being the imagined or metaphysical collective of all the Jewish people in the world without practical means of direct representation or enumeration. The other pole is the actual collective of all those people who have, or qualify for, Jewish nationality within the State of Israel registration procedure. Thus, the Jewish collective is both a civil or political collectivity and a metaphysical or moral one.

The term ‘nation’ also has meanings that differ between Britain and Israel. Most, probably all, member countries of the IHRA understand the ‘state’ as encompassing the ‘nation’. However, the Supreme Court of the State of Israel declares that ‘the Jewish nation’ exists in Israeli law and ‘the Israeli nation’ does not. Apparently, there is no evidence that an Israeli nation exists in Israeli law – see the Tamarin ruling of 1972, last upheld in 2013 (Tamarin v State of Israel, 1972; Ornan v. Ministry of Interior, 2013; Nakba Files 2019). (Mr Tamarin was a Turkish Jew who had converted to Catholicism and wanted to be classed as an Israeli national rather than as a Jewish national.) The Basic Law: Israel – the Nation State of the Jewish People supports this reading in its first paragraph:

#### The State of Israel

- a. Israel is the historical homeland of the Jewish people in which the state of Israel was established.
- b. The state of Israel is the nation state of the Jewish people, in which it actualizes its natural, religious, and historical right for self-determination.
- c. The actualisation of the right of national self-determination in the state of Israel is unique to the Jewish people. (Translation from the Jewish Virtual Library 2019).

‘Nation State’ becomes an amalgamation: the ‘Nation’ standing for the Jewish nation, and ‘State’ standing for the Israeli state (Yadgar 2017; Tekiner 2000). This unites the two meanings of Israel, as the world Jewish community or children of Israel, and Israel as a recognised state within the international community. The metaphysical aspects of the Jewish people merge with the physical aspects of the institutions of the State of Israel. As the terms, ‘self-determination’, ‘nation’, ‘the Jewish people’ and ‘land’, have shifting meanings during dialogue, it may be difficult to define when double standards are being applied in comparison to other nation states (Walsh, 12 October 2017).

The IHRA working definition of antisemitism appears to be phrased in terms of the human rights agenda of international law. As certain words have multiple meanings they act as tropes, moving meaning to poles of their definition. Thus, the tropes move the meaning of self-determination between that of all inhabitants in a territory and that of selected groups of people within a state, between all ‘Jewish people’ and Jewish citizens of the State of Israel. The large number of conditionals in the IHRA definitions allows for compatibility of any contradictions (Alderman 12 July 2019). The definition, while not acting as a well-drafted legal or normative definition, can act as a flexible moral one containing any emergent contradictions. It can be used as moral guidance.

The IHRA adopted its own definition of antisemitism in 2016. The Knesset passed ‘The Basic Law, Israel – the Nation State of the Jewish People’ two years later. Within this law, self-determination is both ‘national’ and ‘unique’ (Chowers 2019). The term ‘unique’ suggests exclusion of the non-Jewish population from full political rights, there being no mention of democracy or equality except for preserving the status of the Arabic language. The term ‘national’ is enlarged beyond international borders to include the view that the development of Jewish settlements in territory occupied illegally under international law is of ‘national value’. Thus, ‘national’ also has two poles of meaning: one of the land within the 1967 borders and the one including military-occupied land considered to be of ‘national value’ beyond the 1967 borders.

### **Civil religion**

The constitutions of Israel can be seen as an evolving civil religion. The Declaration of Establishment (Israel 1948) is written in a grand religiously inspired rhetoric with a great sense of urgency of the then current political situation. The state is referred to as Israel, a state in the eyes of the United Nations and its ‘freedom, justice and peace as envisaged by the prophets of Israel’. This is a secular state driven by its ethnic history gaining wisdom from the ancient prophets. In contrast, the language of this Basic Law is more administrative with religiously derived symbols, the Star of David and the Menorah. One clause suggests religious reenactment: ‘The state will labor to ensure the safety of sons of the Jewish people and its citizens who are in trouble and captivity due to their Jewishness’ – ‘captives’ being a trope related to exile in Babylon. The state of Israel (1948) has become the Nation State of Israel (2018) with the wisdom of the prophets, equality and international law absented from the text.

Thus, civil religion has been changing and developing over the years as different myths have been seen as more fundamental to state development (Liedman and Don-Yehiya 1983; Don-Yehiya 2018). Like all states, Israel justifies itself with myths, a mix of historical myths and mythic histories (Cassirer 1946; Sahlins 1981). The most famous myth is Masada, enacted in the swearing of oaths for Israeli soldiers (Ben-Yehuda 1996, Gilad 17 June 2019). I understand this Basic Law as the current civil religion of the state of Israel as political theology, linking myth with politics.

### **Political myths**

Myths become political when their strategic use changes the power relations between groups within and between states (Salter 2012: 206–263). While civil law is justified by jurisprudence or legal philosophy and their myths debated, moral guidance is justified by implied myth. ‘Myth’ refers to sets of interconnected stories from a cultural tradition describing the putative past, which give meaning to the present and morality to future actions. Myths have a validity and instructive normative force whose rhetorical power does not rest on demonstrations of factual accuracy or

inaccuracy. They are rarely defined, as they are mutable as contexts change. They are not held by individuals but sometimes by groups and corporate bodies. Sometimes individual or corporate bodies, institutions and states, claim privileged access to 'their' myth which justifies the person's political identity or institution's constitution. Myths mutate and change over time and space, inverting their components between competing societies (Levi-Strauss 1986). Myths are seen in retrospect to be enacted, changing their prophetic implications with historical events as states develop (Ohana 2012).

I live with four sets of incompatible myths: a 'Jewish nationalist' myth; a 'Jewish internationalist' or Diaspora myth; a myth of Universal Human Rights; and, a myth of 'equality within international law'. Each myth uses the tropic qualities of 'self-determination' differently. The 'Jewish nationalist' myth links it to the actualisation of the Jewish people in a democratic state in the land of Israel. This is based on a series of historical myths and mythic histories. The Diaspora myth holds that the Jewish people have been diasporic since the fall of the Second Temple and that the state of Israel is not the fulfilment of messianic prophecy. The myths of equality and human rights believe that, since 1798, it has been possible to construct a utopian world of equal human rights. The myth of international law is that a safer world may occur when the international community of states act in unison to negotiate the rights of groups of individuals. There is a fifth myth, which I fear, is that of a Christian Zionism which prophesies that all Jews need to 'return' to Jerusalem for the elected Christians to attain transcendence (Sizer 2014).

## **Part Four**

### ***Political theology of the IHRA definition***

Each of the privileged texts discussed, has its own political theology dependent on which political unit claims supreme authority over the text. The political theology of the IHRA definition gains meaning when understood in the context of related texts from the movements of meaning between the different poles of terms such as 'nation', 'Jewish people' and 'self-determination'. These words act as tropes exchanging, merging and separating meaning. The meanings may change dependent on the context. External events are seen as the myths enacted. (The Israel Project's 2009 Global Language Dictionary provides good examples.) As these meanings change, the 'Jewish people' are taken as homogenous, with shared views (Finlay 2015).

The International Holocaust Remembrance Alliance gains its authority from the Stockholm Declaration and the authority of the countries in the Alliance. This Declaration acts as prophecy, based on mythic history, history of such enormity that it provides a universal meaning. In the absence of the British government stating

the definition of the term, 'self-determination', the constitution of the state of Israel defines 'self-determination' within civil religion, its own political theology. This political theology is based on the historical myths of both Jews and Christians to be confirmed by archaeology (Pfeiffer 25 July 2019).

The IHRA's definition acts as moral guidance within the UK; it is neither legally binding nor drafted with legal clarity (Sedley 2017). Moral guidance gives priority to the accuser to define the offensive tropes of antisemitism; in civil law, it is the assessor. As Theresa May, Prime Minister, stated, those suspected of breaching the IHRA definition will be guilty and 'called out' (Torrance 2018). Such moral guidance focuses on public shaming and apology (Hansard, 17 July 2019). Respect is shown by supporting the unattended definition. Moral guidance holds to fixed norms, albeit with flexible definitions (Bickenbach 1989). It has no need of temporal authority as this is gained from the power of metaphysical beliefs. It depends on the use of tropes implying, and disguising, underlying myths; rhetoric is its science (Kantorowicz 1954/1999; Salter 2012). Moral guidance does not need legal scrutiny: the IHRA definition was 'adopted' without parliamentary scrutinising of the wording in respect to the Jewish community (Hansard 2017). In contrast, civil legality depends on a positivist view of norms, where words directly represent the world. Civil law gains its authority from the scrutiny of legislation by representative bodies which draw their authority from different myths of democracy in the face of the law (Cotterell 2005, 54–63; Kantorowicz 1957).

### **Moral law**

In this conceptualisation, moral guidance becomes moral law, when those accused of infringement are threatened with denial of political rights. Moral law ends if, and when, civil courts scrutinise the moral law, rather than give moral guidance due 'regard' (Equality and Human Rights Commission 28 May, 2019b; para 8). Whereas all are said to be equal in the face of the civil law, in moral law those making allegations may not be held to the same standards as those accused. It is the responsibility of the accused to show that their 'criticism of Israel similar to that levelled against any other country cannot be regarded as antisemitic' (IHRA 2016). When moral guidance is applied coercively, it acts a moral law enforceable by social pressure rather than by statute. Thus, the moral law operates in an arena of exception – a pre-criminal space, a space that the state can both create and dissolve but can claim not to own (c.f. Heath-Kelly 2017).

Moral law operates by public sanction. The perception of the accuser and not that of the adjudicator dominates. The moral court is formed by public opinion and media outlets. The more allegations are repeated the more guilt is assumed. Moral law is judged more by respect shown to the definition itself than breach of its specific clauses;

the moral character of those who associate with the accused is more important than what the person said. The allegations can remain in public media, even when shown to be false. Allegations demand apologies; apologies justify the original allegations. No explanation provides exculpation, only a commitment to political exclusion (Frot, 30 May 2019).

Moral laws gain their power by making two ideas compatible; in this case, the apparently contradictory prophecies of unique national self-determination of the Jewish people and the human rights of all the inhabitants of Israel/Palestine. For instance, if the self-determination of the Jewish people is to determine the fate of the State of Israel, any criticism of Israel may be antisemitic, as the person will be involved in 'targeting of the state of Israel, conceived as a Jewish collectivity' (IHRA, 2016). To operate this moral law effectively, the definition needs to maintain conditionality. Within moral law, privileged groups, self-assigned by mythic history, are seen as the authority in interpreting the meaning of the definition. (This is similar to the 'moral rights' given to copyright holders in UK (Intellectual Property Office, 2019).) Challenge to the supremacy of these groups results in accusations and exclusion from the community (Harpin, 20 June 2019a). If a tribunal provides the morally wrong decision, the tribunal process itself can be doubted. As soon as the moral law is incorporated into civil law, the terminology would become clarified by precedent, and the moral law less flexible.

### **Civil law**

The IHRA working definition of antisemitism was adopted by the UK government as advisory; public authorities and political parties are encouraged to incorporate it into their regulations. This non-legal binding definition becomes binding by contract when political parties, Local Authorities or public and other bodies incorporate the definition into their contracts or constitutions. Political party members and local authority employees can be held to the definition once it has become part of a contract (Gould 2018). Thus, advocacy for a single egalitarian state might technically be a 'sackable offence' for some but not others, depending on how these tribunals read the document. The definition's validity cannot be questioned, although its implementation can (Equalities and Human Rights Commission 28 May 2019a). It is unclear how the IHRA definition relates to Equality legislation in which 'attachment to the state of Israel' is not a protected characteristic (Fraser v. UCU. 2013; Grove 2013).

The IHRA definition is not legally binding except when it binds employees and political party members through the law of contract. No proof of antisemitic intent is needed: the UK government having rejected the Home Office Select Committee's suggestion of 'clarifications' (Torrance 2019). As soon as moral law becomes civil,

the adjudicator's perception of antisemitism takes precedence over that of the person making the accusation or denunciation. Thus, at different times, the IHRA definition is above, beside and under the law. It is above the law in the sense that it cannot be readily tested in court; it is beside the law when there is no acknowledgement of international law; and under criminal law when a criminal offence is committed. Currently, it appears that there is no clear sovereign authority over the definition; there appears to be no state office or legal process in place to define the key terms of the definition prior to a tribunal. When there is no human arbiter, rhetoric, public accusations, and humiliations take over from due legal process. As no intent of antisemitism is needed for it to be alleged, advocacy for a single egalitarian state of Israel/Palestine may, or may not, be antisemitic. Adoption by a public body or political party is committing the employees and members to a vow. In the absence of sovereign authority, the spirit of the Stockholm Declaration becomes the arbiter; that is, when ignoring the words 'genocide, ethnic cleansing, racism' absented from the IHRA definition of antisemitism.

There is, I believe, a route to ensure sovereign authority. The UK representative to the IHRA is Lord Eric Pickles, a former government minister. The envoy works in coordination with the Foreign and Commonwealth Office and a government agency, the UK Holocaust Memorial Foundation, which is attached to the Ministry of Housing, Communities and Local Government. I would not have chosen Mr Pickles to represent me, given his support for Poland's Law and Order Party (Freedland 2009), his reported views on the Latvian Waffen SS (Zuroff, 2009) and his role in supporting the evictions of Roma which were turned into art at the time of writing (McVeigh 2010, Guardian 2015, Tate Modern, June 2019).

### ***The authority of the word***

I believe that the conflicts in British politics regarding criticism of Israel may be able to move from denunciations to dialogue, from public shaming to public conversations only after the UK government gives a ruling as to the limits of the term 'self-determination' in the IHRA document. At the moment, I see a struggle between the nationalist and diasporist myths, between the actualisation of a people through a state and the actualisation of humanity through internationalism. While the IHRA definition remains privileged and inviolate, its wording takes on increased salience and furthers political conflict.

The IHRA definition is written in the terminology of human rights. When placed in the overall context of Israel/Palestine, the definition can be read as excluding the human rights of those not present in the text. Dousinas (2000) has pointed out that the concept of individual human rights has triumphed globally, hijacked by governments' use of treaties and conventions to create a world of utopian hope despite



mass violations of human rights. In certain circumstances, the human rights of specific groups challenge the authority of states, in the name of respecting human rights. I am arguing that, in this instance, the state can maintain the fiction of its own power, even when it defines the words it uses; no state can fully justify its monopoly of violence without defining its power, which will inevitably evoke the mythic (Schmitt 1996, Agamben 1998, 15–28).

At the moment, the IHRA working definition gives authority to itself and is yet to be tested in civil courts. Without definition by the state, 'self-determination' becomes oxymoronic: the self is determined by the self, 'I am I' (Althusser, 1971). The UK may threaten its own authority if, and when, it defines the term, self-determination, as it may clarify the tensions in UK foreign policy between Israel being a national home for the Jewish people and provision of equal political rights for all inhabitants of Israel/Palestine (Foreign and Commonwealth Office, 2019). It may imply that the balance of violence maintains states rather than mythic justification. Without the full authority of law, conflicts of morality will only be resolved by sacred violence. This is violence, symbolic or real, in proportion with the myth of the moral law, and out of proportion with civil law. Moral law becomes a form of 'lawfare', a compact of *law* and *warfare*, aiming to damage and delegitimise an enemy and win a public relations victory (Kittrie 2016).

### **Holocaust remembrance**

I have used ideas from political theology to find a way to talk about the mythic and the politics in discussion about Israel/Palestine and antisemitism in the UK in the era of the IHRA. Political theology grew out of the failure of the Weimar Republic, the Nazi takeover of power and the international response which followed the revulsion from the Holocaust (Shoah) (Schmitt 1996, 2005). Carl Schmitt, the Nazi crown jurist, documented the disintegration of the Weimar republic, seeing a failure of supreme authority when there is no democratic consensus (Stirk 2005). Schmitt used his theories in an attempt to justify the constitutional law used by Hitler in his first years in power before his completed takeover of the state. He understood supreme authority as being justified by secularised political theology, developed over the centuries of Christian predominance (Schmitt, 1985) While no single myth could fully legitimate a state holding the monopoly of power, supreme authority was necessary for a stable legal system. Buber responded to Carl Schmitt by arguing that divine sovereignty is absolute and inimitable; no human ruler can claim the legitimate power reserved to God (Lesch, 2018). Buber, who had left Weimar Germany in 1926 for Palestine, watched the legal developments of Nazi Germany with concern, understanding them in terms of actualisation of unmodified myth. Later, he used the same theory to criticise the development of Israel as he did not believe that the redemption of the Jews could be achieved through political victories. Ernst Kantorowicz, a legal

historian who left Germany in 1937 for the United States, argued against Schmitt's view. Sovereign authority was a necessary fiction, in which people gave power to the state and then saw that power as somehow beyond themselves (Herrero, 2015). He showed in 'The King's two bodies: a study in mediaeval political theology' (1957), how concepts of the separation between a person's role and their person had its genesis in mediaeval political theology. Thus, institutions give authority temporarily to people who make up the institution. Oaths, such as adoption of the IHRA non-legal definition of antisemitism, can be seen as constraining commitment for future expressed beliefs. Kantorowicz's approach grew from his experience of persecution in Nazi Germany and his subsequent refusal to take an oath to the Regents of the University of California (Kantorowicz 1955/1990).

## My Opinion

The International Holocaust Remembrance Alliance created a guide for the elimination of antisemitism which has highlighted the argument over the meaning of 'self-determination'. The IHRA definition is well drafted for moral guidance because of the implicit appeal to the mythic, but inadequately drafted for civil law because of the flexibility of meaning of certain words. The UK government adopted the IHRA definition of antisemitism without definition of its key terms or obvious linkage to statute. No one person or agency appears to have the supreme authority to define 'self-determination'. At the moment moral and statutory authority appears distant, without effective linkage between the two. My hope is that if, and when, the UK government defines the term 'self-determination' that the meaning may be stabilised. Does the word, 'self-determination' primarily related to international law or Israeli law; the International Convention on the Elimination of All Forms of Racial Discrimination or the Basic Law: Israel – the Nation State of the Jewish People?

While the moral and the statutory, the mythic and the political, are detached, concepts of political theology may enable understanding of the current pattern of denunciations. Without authoritative definition, 'self-determination' divides friend from enemies; there is little room for ambivalence and subtlety. Carl Schmitt's concept of political theology will prevail (Schmitt 1996). Defining the term may legitimate ambivalence and ambiguity without fear of political disenfranchisement. Room will be created for Martin Buber's political theology or theopolitics where myth emerges from history and myth is enacted as remembered history (1997).

Denunciation may turn to dialogue when patterns of rhetoric are understood as

myth and prophecy, rather than past and current oppression. Such dialogue may be enabled when current authorities clarify the words they use for social regulation of such exchanges. As long as the authority of the word remains uncertain, perhaps transcendental, friend and enemy will be divided; as long as this prophecy is messianic, existential threat will lead to sacred murder. My hope is for dialogue when the word, 'self-determination' is authorised by the UK state within international law.

## Bibliography

- Agamben, G. (1989) *Homo Sacer: Sovereign power and bare life*. Stamford: Stamford University Press.
- Alderman, G. (2019) Why the antisemitism definition is flawed, *Jewish Telegraph* 12 July. Available at: [www.jewishtelegraph.com/alderman.html](http://www.jewishtelegraph.com/alderman.html) (Accessed 20 July 2019).
- Althusser, L. (1971) *Ideology and Ideological State Apparatuses (Notes Towards an Investigation)* In *Lenin and Philosophy and other essays*. London: Verso.
- Balfour Declaration (1917) [Wikipedia en.wikipedia.org/wiki/Balfour\\_Declaration](https://en.wikipedia.org/wiki/Balfour_Declaration) (Accessed 10 July 2019).
- Bento, António (2017) From the Medieval Church as a Mystical Body to the Modern State as a Mystical Person: Ernst Kantorowicz and Carl Schmitt In: *Political theology in medieval and early modern Europe* Herrero, H. Cardona, A. and Miceli Stout, A.
- Ben-Yehuda, Nachman. (1996) *Masada Myth: Collective Memory and Mythmaking in Israel*. Madison Milwaukee: University of Wisconsin Press.
- Bickenbach, J. (1989) Law and Morality. *Law and Philosophy* 8: 291-30.
- Board of Deputies of British Jews, (3rd May 2019) Letter to Mr Corbyn. Available at: <https://www.bod.org.uk/wp-content/uploads/2019/05/BOD-President-Letter-to-Jeremy-Corbyn-03052019.pdf> (Accessed 6 June 2019).
- Buber, M. (2013) *I and thou*. London: Bloomsbury Academic.
- Buber, M. (1997) *On Zion: The history of an idea*. Syracuse. Syracuse University Press.
- Canary website (28 May 2019) Watch the former Board of Deputies president call for Jeremy Corbyn to be 'sacrificed'. Available at: <https://www.thecanary.co/uk/news/2019/05/28/watch-the-former-board-of-deputies-president-call-for-jeremy-corbyn-to-be-sacrificed/> (Accessed 2 June 2019).
- Cassirer, E. (1946) *The myths of the state*. New Haven: Yale University Press.
- Chowers. E. (6 March 2019) The emerging notion of sovereignty in contemporary Israel University of Oxford Podcast <http://podcasts.ox.ac.uk/eyal-chowers-emerging-notion-sovereignty-contemporary-israel> (Accessed 12 May 2019).
- Cotterell, R. (2005) *The Politics Of Jurisprudence: A Critical Introduction to Legal Philosophy* Oxford. Oxford University Press.
- Dinstein, Y. (1996). *Israel Yearbook on Human Rights: Volume 1995(25):210–212*. Tel Aviv: Martinus Nijhoff Publishers.
- Don-Yehiya, E. (2018) Changes and developments in Israeli civil religion: 1982-2017. *Israel Studies* 23:189-96
- Douglas, M. (2001) *Leviticus As Literature Abingdon*: Oxford: Oxford University Press.
- Dousinas, C. (2000) Human Rights and postmodern utopia *Law and Critique*, 11: 219-40
- Elgot, J. (2018) Labour antisemitism code could breach Equality Act, *The Guardian*,

- 16 July. Available at: [www.theguardian.com/politics/2018/jul/16/labour-antisemitism-code-could-breach-equality-act](http://www.theguardian.com/politics/2018/jul/16/labour-antisemitism-code-could-breach-equality-act) (Accessed 22 May 2019).
- Equalities and Human Rights Commission (2019a) Investigation open into the labour party following complaints about antisemitism [www.equalityhumanrights.com/en/our-work/news/investigation-opened-labour-party-following-complaints-about-antisemitism](http://www.equalityhumanrights.com/en/our-work/news/investigation-opened-labour-party-following-complaints-about-antisemitism) (accessed 12 June 2019)
- Equality and Human Rights Commission (2019b) Investigation into the Labour Party: Terms of reference: Paragraph 8. Available at: [www.equalityhumanrights.com/sites/default/files/terms-of-reference-investigation-into-labour-party-28-may-2019.pdf](http://www.equalityhumanrights.com/sites/default/files/terms-of-reference-investigation-into-labour-party-28-may-2019.pdf). (Accessed 30 July 2019)
- Ferro, B. (2019). Hegel, Liberalism and the Pitfalls of Representative Democracy. *Hegel Bulletin*, 40 (2): 215-236.
- Finlay, J. (2015) Jewish and democratic? The state of the Board of Deputies. *Jewish Quarterly* 62 (1):14-17.
- Foreign and Commonwealth Office, (2019) Human Rights and Democracy Report 2018. Available at: [www.gov.uk/government/publications/human-rights-and-democracy-report-2018/human-rights-and-democracy-the-2018-foreign-and-commonwealth-office-report](http://www.gov.uk/government/publications/human-rights-and-democracy-report-2018/human-rights-and-democracy-the-2018-foreign-and-commonwealth-office-report) (Accessed 29 July 2019).
- Fraser -v- University & College Union (2013) Courts and Tribunals Judiciary Case Numbers: 2203390/20. Available at: [www.judiciary.uk/judgments/fraser-uni-college-union/](http://www.judiciary.uk/judgments/fraser-uni-college-union/)
- Freedland, J. (2009) Once no self-respecting politician would have gone near people such as Kaminski, *The Guardian*, 6 October. Available at: [www.theguardian.com/commentisfree/2009/oct/06/conservatives-in-europe-latvia-ss](http://www.theguardian.com/commentisfree/2009/oct/06/conservatives-in-europe-latvia-ss) (Accessed 10 June 2019).
- Frot, M. (2019) Former Board president 'sorry' for 'sacrifice Corbyn' quip. *Jewish News*. 30 May 2019. Available at: <https://jewishnews.timesofisrael.com/former-board-president-sorry-for-sacrifice-corbyn-quip/> (Accessed 4 June 2019).
- Guardian, the (2015) Eric Pickles discriminated against Romany Gypsies in green belt – judge. 21 January 2015. Available at: [www.theguardian.com/politics/2015/jan/21/eric-pickles-unlawfu-discrimination-against-romany-gypsies-green-belt-judge-rules](http://www.theguardian.com/politics/2015/jan/21/eric-pickles-unlawfu-discrimination-against-romany-gypsies-green-belt-judge-rules) (Accessed 28 July 2019).
- Gilad, E. (2019) The Myth of Masada: How Reliable Was Josephus, Anyway? *Haaretz*. 17 June 2019. Available at: [www.haaretz.com/archaeology/.premium.MAGAZINE-the-myth-of-masada-how-reliable-was-josephus-anyway-1.7375157](http://www.haaretz.com/archaeology/.premium.MAGAZINE-the-myth-of-masada-how-reliable-was-josephus-anyway-1.7375157) (Accessed 18 June 2019).
- Gould, R. R. (2018). Legal Form and Legal Legitimacy: The IHRA Definition of Antisemitism as a Case Study in Censored Speech. *Law, Culture and the Humanities*.

- Grove, J. (2013) Tribunal slams academic for bringing anti-Semitism case. *The Times Higher Education*. 27 March 2013. Available at: <https://www.timeshighereducation.com/news/tribunal-slams-academic-for-bringing-anti-semitism-case/2002841.article> (Accessed 12 June 2019).
- Habermas, J. (1986) *Theory of Communicative Action: Reason and the Rationalization of Society: Reason and the Rationalization of Society* London; Polity.
- Hansard (17 July 2019) Prime minister. Available at: <http://hansard.parliament.uk/Commons/2019-07-17/debates/9F81523F-BEC6-470A-89B9-83412EDA0CA8/PrimeMinister> and [www.bbc.co.uk/iplayer/episode/m0006yl2/prime-ministers-questions-17072019](http://www.bbc.co.uk/iplayer/episode/m0006yl2/prime-ministers-questions-17072019) (Accessed 10 July 2019).
- Hansard (30 October 2017) Balfour Declaration Volume 630. Available at: <https://hansard.parliament.uk/Commons/2017-10-30/debates/CB36ACC3-D2D7-441A-836B-736B8C869A13/BalfourDeclaration> (Accessed 10 July 2019)
- Harpin, L. (2019a) Labour's Peterborough candidate signed letter opposing IHRA antisemitism definition *The Jewish Chronicle*. 3 June 2019. Available at: <https://www.thejc.com/news/uk-news/labour-s-peterborough-candidate-signed-letter-opposing-ihra-antisemitism-definition-1.485060> (Accessed 10 June 2019)
- Harpin, L. (2019b) Lansman launches attack on Jewish Voice for Labour. *Jewish Chronicle*. 20 June 2019. Available at: [www.thejc.com/news/uk-news/lansman-launches-attack-on-jewish-voice-for-labour-1.485690](http://www.thejc.com/news/uk-news/lansman-launches-attack-on-jewish-voice-for-labour-1.485690) (Accessed 21 June 2109).
- Harpin, L. (2019c) Labour's Laura Pidcock defends using biblical Christ crucifixion words to describe Corbyn critics. *The Jewish Chronicle*. 8 November 2019. Available at: <https://www.thejc.com/news/uk-news/labour-s-laura-pidcock-defends-using-biblical-christ-crucifixion-words-to-describe-corbyn-critics-1.492902?highlight=Christ> (Accessed 11 November 2019).
- Hass, Amira Haaretez (2019) 'Palestinian Authority Is Tyrannical': Joint Gaza, West Bank Conference Amps Criticism of Abbas and Hamas. *Haaretz newspaper*. 6 July 2019. Available at: <https://www.haaretz.com/middle-east-news/palestinians/.premium-joint-gaza-west-bank-conference-amps-criticism-of-abbas-and-amas-1.7451598> (Accessed 8 July 2019)
- Hasson, N. (2018) Temple Mount activists celebrate new altar, but plea to 'practice animal sacrifice' rejected. *Haaretz newspaper*. 11 December 2018. Available at: [www.haaretz.com/israel-news/.premium-jerusalem-municipality-rejects-plea-to-practice-animal-sacrifice-for-future-temple-1.6729388](http://www.haaretz.com/israel-news/.premium-jerusalem-municipality-rejects-plea-to-practice-animal-sacrifice-for-future-temple-1.6729388) (Accessed June 2019).
- Heath-Kelly C. (2017) The geography of pre-criminal space: epidemiological imaginations of radicalisation risk in the UK Prevent Strategy, 2007–2017 *Critical Studies on Terrorism Critical Studies on Terrorism*, 10: 2.
- Horton, J. (2105) Jeremy Corbyn, Demon or Messiah? - He's neither but this is why as a Christian I voted for him Christians on the Left. Available at: [http://www.christiansontheleft.org.uk/jeremy\\_corbyn\\_demon\\_or\\_messiah\\_he\\_s\\_neither\\_](http://www.christiansontheleft.org.uk/jeremy_corbyn_demon_or_messiah_he_s_neither_)

- but\_this\_is\_why\_as\_a\_christian\_i\_voted\_for\_him (Accessed 13 November 2019).
- Herrero M. (2015) On Political Theology: The Hidden Dialogue between C. Schmitt and Ernst H. Kantorowicz in The King's Two Bodies. *History of European Ideas*, 41:1164-1177
- Hersh, S. (1991) *The Samson option: Israel, America and the Bomb*, London: Faber and Faber
- IHRA (2000) Stockholm Declaration. Available at: [www.holocaustremembrance.com/stockholm-declaration](http://www.holocaustremembrance.com/stockholm-declaration)
- IHRA (2016) IHRA Working definition of antisemitism, Available at: [www.holocaustremembrance.com/node/196](http://www.holocaustremembrance.com/node/196).
- Institute of Race Relations (2018) McPherson definition misunderstood in labour party anti-semitism definition. Available at: <http://www.irr.org.uk/news/mcpherson-definition-misunderstood-in-labour-party-anti-semitism-definition/> (Accessed 12 July 2019).
- Intellectual Property Office (2019) *A designers guide to protecting your creativity*. Newport, UK. Crown copyright.
- Israel (May 14, 1948) Declaration of Establishment of State of Israel; Israel Ministry of Foreign Affairs [mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx](http://mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx) (Accessed May 2019).
- Israel Project (2009) *Global Language Dictionary*. Available at: <https://www.transcend.org/tms/wp-content/uploads/2014/07/sf-israel-projects-2009-global-language-dictionary.pdf> (Accessed 10 August 2019).
- Kantorowicz E. (1950/1999) The Fundamental Issue: Documents and Marginal Notes on the University of California Loyalty Oath. Available at: [http://www.lib.berkeley.edu/uchistory/archives\\_exhibits/loyaltyoath/symposium/kantorowicz.html](http://www.lib.berkeley.edu/uchistory/archives_exhibits/loyaltyoath/symposium/kantorowicz.html) (Accessed 12 June 2019).
- Kantorowicz, E. (1957) *The kings two bodies: a study in mediaeval political Theology* Princeton: Princeton University Press.
- Knesset, (1992) Basic Law: Human Dignity and Liberty. Available at: [https://www.knesset.gov.il/laws/special/eng/basic3\\_eng.htm](https://www.knesset.gov.il/laws/special/eng/basic3_eng.htm).
- Knesset (2018) The Basic Law: Israel - the Nation State of the Jewish People. Available at: [knesset.gov.il/laws/special/eng/BasicLawNationState.pdf](http://knesset.gov.il/laws/special/eng/BasicLawNationState.pdf).
- Kittrie, O. (2016) *Lawfare: Law as a weapon of war*. New York, NY. Oxford University Press.
- Lesch, C. (2018) Theopolitics Contra Political Theology: Martin Buber's Biblical Critique of Carl Schmitt. *American Political Science Review*, 113(1):1-14.
- Levi-Strauss, C. (1986) *The Raw And the Cooked: Introduction to a Science of Mythology*. London: Penguin.
- Liedman C. and Don-Yehya E. (1983) *Civil Religion in Israel: Traditional Judaism and Political Culture in the Jewish State* Los Angeles: University of California Press.

- Lopez, I. (2015) *Dog whistle politics: How coded racial appeals have reinvented racism and wrecked the middle class*. New York: Oxford University Press.
- Macpherson, W. (1999) *The Stephen Lawrence inquiry: Report of an inquiry*. Available at: <https://www.gov.uk/government/publications/the-stephen-lawrence-inquiry#r12>.
- Marsh, D. (2011) Trop de trope *The Guardian* 29 September <https://www.theguardian.com/media/mind-your-language/2011/sep/29/mind-your-language-buzzword-trope> (accessed June 10 2019) (Accessed 30 July 2019).
- McVeigh, T. (2010) New wave of evictions threatens Gypsies. *The Guardian*. 1 August 2010. Available at: [www.theguardian.com/society/2010/aug/01/gypsies-evictions-planning](http://www.theguardian.com/society/2010/aug/01/gypsies-evictions-planning) (Accessed 29 July 2019).
- Middleton, I. (2016) Is Jeremy Corbyn the new messiah? *Huffington Post*. Available at: [https://www.huffingtonpost.co.uk/ian-middleton/is-jeremy-corbyn-the-new-messiah\\_b\\_8020884.html](https://www.huffingtonpost.co.uk/ian-middleton/is-jeremy-corbyn-the-new-messiah_b_8020884.html). (Accessed 12 November 2019).
- Moore, C. (2018) How on Earth did our civilisation get from Jesus Christ to Jeremy Corbyn? *The Daily Telegraph*. Available at: <https://www.telegraph.co.uk/politics/2018/03/30/civilisation-rooted-judaism-jeremy-corbyn-first-mainstream-democratic/>. (Accessed 13 November 2019).
- Nakba Files (2019) Tamarin v. State of Israel (CA 630/70). Available at: <https://nakbafiles.org/nakba-casebook/tamarin-v-state-of-israel-ca-63070/> (Accessed July 2019).
- Ohana D. (2012) The Politics of Political Despair: The Case of Political Theology in Israel. In Tamar Herman (ed.), *Citizens, Politics and the Political Profession*, The Israeli Democracy Institute, Jerusalem. Available at: [https://en.idi.org.il/media/6376/bythepeople\\_ohana.pdf](https://en.idi.org.il/media/6376/bythepeople_ohana.pdf) (Accessed 12 July 2019).
- Ohana, D. (2011) Ambiguous Messianism: The Political Theology of Martin Buber. *Religion Compass* 5(1).
- Ohana, D. (2019) Nietzsche and Jewish political theology. London: Routledge.
- Ornan v. Ministry of Interior (2013) Versa Opinions of the supreme court of Israel CA 8573/08 Available at: <http://versa.cardozo.yu.edu/opinions/ornan-v-ministry-interior>.
- Pfeiffer, A. (2019) Jerusalem's Newly-unearthed Temple Tunnel Is Thrilling, Glorious - and Toxic for Coexistence. *Haaretz*. 25 July 2019. Available at: [www.haaretz.com/israel-news/.premium-jerusalem-s-newly-unearthed-temple-tunnel-is-thrilling-glorious-and-toxic-for-coe-1.7575175](http://www.haaretz.com/israel-news/.premium-jerusalem-s-newly-unearthed-temple-tunnel-is-thrilling-glorious-and-toxic-for-coe-1.7575175) (Accessed 26 July 2019).
- Reut Group (2019) A nightmare for Israel: Fantasy for the BDS movement. Available at: [www.reutgroup.org/Publications/Potential-Collapse-of-the-Palestinian-Authority%3A-Nightmare-for-Israel%2C-Fantasy-for-the-BDS-Movement](http://www.reutgroup.org/Publications/Potential-Collapse-of-the-Palestinian-Authority%3A-Nightmare-for-Israel%2C-Fantasy-for-the-BDS-Movement) (Accessed 12 July 2019).
- Reut Group Mission Statement. Available at: [www.reutgroup.org/](http://www.reutgroup.org/) (Accessed 20 June,



- 2019).
- Royce, M. (2017) *The political theology of European integration; Comparing the influence of religious histories on European policies*, London: Palgrave Macmillan,
- Sabbagh D. (2018) Labour adopts IHRA antisemitism definition in full. *The Guardian*. 4 September 2018. Available at: <https://www.theguardian.com/politics/2018/sep/04/labour-adopts-ihra-antisemitism-definition-in-full> (Accessed May 2019).
- Sahlins, M. (1981) *Historical Metaphors and Mythical Realities: Structure in the Early History of the Sandwich Islands Kingdom*. Ann Arbor: University of Michigan Press.
- Salter, M. (2012) *Carl Schmitt Law as politics, Ideology and strategic myth*. Abingdon: Routledge
- Schmitt, C. (2005) *Political theology: Four chapters in the concept of sovereignty*. Cambridge, MA. MIT Press.
- Schmitt, C. (1996) *The concept of the political*. Chicago, Chicago University Press.
- Sedley, S. (2017) Defining Anti-semitism. *London Review of Books*.
- Sedley, S. (2018) Letter: Debate continues over Labour's code on antisemitism. *The Guardian*. 18 July 2018. Available at: [www.theguardian.com/news/2018/jul/18/debate-continues-over-labours-code-on-antisemitism](http://www.theguardian.com/news/2018/jul/18/debate-continues-over-labours-code-on-antisemitism) (Accessed 12 July 2019).
- Silow-Carrol, A. (2019) An idiot's guide to anti-semitic tropes. *The Jerusalem Post*. February 20, 2019. Available at: [www.jpost.com/Diaspora/Antisemitism/An-idiot-s-guide-to-anti-Semitic-tropes-581178](http://www.jpost.com/Diaspora/Antisemitism/An-idiot-s-guide-to-anti-Semitic-tropes-581178) (Accessed 7 May 2019).
- Sizer, S. (2014) *Christian Zionism: Road-map to Armageddon?* London: IVP University Press.
- Stirk, P. (2005) *Carl Schmitt, Crown Jurist of the Third Reich: On presumptive war, military occupation and world empire*. New York: Edwin Mellen Press.
- Sugarman, D. (2018) What is the IHRA definition of antisemitism? And why has Labour outraged Jews by rejecting it? *The Jewish Chronicle*. 20 July 2018. Available at: <https://www.thejc.com/comment/analysis/what-is-the-ihra-definition-of-antisemitism-and-why-has-labour-outraged-jews-by-rejecting-it-1.467511> (Accessed 12 July 2019).
- Sugarman, D. (2019) Board of Deputies rebuke Conservative MP Suella Braverman for using 'antisemitic trope'. *The Jewish Chronicle*. 26 March 2019. Available at: [www.thejc.com/news/uk-news/board-of-deputies-rebuke-conservative-mp-suella-braverman-for-using-antisemitic-trope-1.482150](http://www.thejc.com/news/uk-news/board-of-deputies-rebuke-conservative-mp-suella-braverman-for-using-antisemitic-trope-1.482150) (Accessed 13 August 2019).
- Tamarin v State of Israel CA 630/70 (1972) Israel Yearbook of Human Rights. Tel Aviv University. Available at: [https://www.law.columbia.edu/sites/default/files/microsites/gender-sexuality/tamarin\\_v\\_state\\_of\\_israel.pdf](https://www.law.columbia.edu/sites/default/files/microsites/gender-sexuality/tamarin_v_state_of_israel.pdf)
- Tate Modern (2019) Dale Farm: The evictions with 198, traveller art, performance and oblique arts. Available at: [www.tate.org.uk/whats-on/tate-modern/tate-](http://www.tate.org.uk/whats-on/tate-modern/tate-)

- exchange/workshop/dale-farm- eviction (Accessed 25 June 2019).
- Tekiner R. (Summer 2000) Jewish Nationality Status as the Basis for Institutionalized Racial Discrimination in Israel. *Middle East Policy Council*. Available at: <https://www.mepc.org/jewish-nationality-status-basis-institutionalized-racial-discrimination-israel> (Accessed 19 July 2019).
- Tomlinson (2017) The matter of the adoption and potential application of the IHRA working definition of anti-semitism. Available at: <https://freespeechonisrael.org.uk/wp-content/uploads/2017/03/TomlinsonGuidanceIHRA.pdf> (Accessed June 2019)
- Torrance, D. (2018) UK Government's adoption of the IHRA definition of antisemitism: Commons library. Available at: <https://commonslibrary.parliament.uk/home-affairs/communities/uk-governments-adoption-of-the-ihra-definition-of-antisemitism/> (Accessed 21 June 2019).
- United Nations Treaty Collection (2016) International Convention on the Elimination of All Forms of Racial Discrimination (1965). Available at: [https://web.archive.org/web/20160304195652/https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-2&chapter=4&lang=en](https://web.archive.org/web/20160304195652/https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-2&chapter=4&lang=en) (Accessed 28 May 2019)
- Walsh, D. (2017) Board row over use of IHRA definition: Argument follows VP's criticism of Israel's Nation State law. *The Jewish Chronicle*. 12 October 2017. Available at: <https://www.thejc.com/news/uk-news/board-of-deputies-row-over-use-of-ihra-definition-1.470870> (Accessed 27 July 2019).
- Wikipedia 2018–19 Gaza border protests. Available at: [https://en.wikipedia.org/wiki/2018%E2%80%9319\\_Gaza\\_border\\_protests](https://en.wikipedia.org/wiki/2018%E2%80%9319_Gaza_border_protests) (Accessed 20 October 2019).
- Yadgar, Y. (2017) *Sovereign Jews; Israel, Zionism and Judaism*. New York: Suny Press
- Zuroff, E. (2009) The Nazi whitewash. *The Guardian*. 28 September 2009. Available at: [www.theguardian.com/commentisfree/2009/sep/28/eric-pickles-tories-latvia-nazi](http://www.theguardian.com/commentisfree/2009/sep/28/eric-pickles-tories-latvia-nazi) (Accessed 10 June 2019).