

J'ACCUSE! THE NEW ANTI-ANTI-SEMITISM

Math professor David Klein maintains a web page that indicts Israeli policy toward the Palestinians as racist and equates Zionism with ethnic cleansing. It has ignited calls for its removal from university web servers because of alleged anti-Semitism. Before we assess the legitimacy of censoring anti-Semitic speech, we must understand the charge.

Klein contends that his disagreement with specific Israeli policies, which are enacted by specific players in changing circumstances, is far different from anti-Semitism; the latter expresses revulsion for the inherent and universal nature of an ethnic group centered on a creed.

However, the Ali Policy, 2010, encouraged the federal Office of Civil Rights in the Department of Education to view such characterizations of Israel as anti-Semitic, presumably because Israel is an essential attribute of Jewish identity. Soon thereafter, Cary Nelson of the American Association of University Professors joined Kenneth Stern of the American Jewish Committee in objecting to this new interpretation. Essentially, they argued, the Ali Policy on how to determine anti-Semitism under Title 6 amounted to the prior restraint of claims that should be subjected to public trial, so to speak.

For those who hear anti-Semitism in Klein's words, his charges already have become maiming debris lifted into the whirling wind of imminent, recurring holocaust.

How can people's theories and reactions be so different?

Many of Klein's critics implicitly fuse the elected policy of the Israeli government with God's covenant with the Jews as a spiritual people and/or ethnic tribe. This consolidation empowers them to denounce, with the fury of Jeremiah, dissent to policy as if it were apostasy. The apostate is censured, not stoned.

Further, one's sense of the imminence of holocaust determines one's threshold for what is anti-Semitic. In no way does Klein deny the Holocaust. But for him, holocaust is not the end toward which Jewish history inexorably tends, thus justifying strenuous resistance to any sign—never again.

However, that doom is looming in the culture of organizations like Scholars for Peace in the Middle East (SPME) and AMCHA. At UC Santa Cruz, the SPME chapter has run a lecture series condemning the "existential" threat that the "new anti-Semitism" of intellectuals critical of the occupation and settlements poses to Israel and instruction about it.

In turn, AMCHA identifies "manifestations of harassment and intimidation of Jewish students on colleges and university campuses across the state" of California. Its standard is as broad as the Ali Policy. It capitalizes on the remembrance of siege and destruction to

justify not only parrying what has been said but squelching what yet might be said. This, of course, resonates with Israel's own rationalization of pre-emption. Indeed, AMCHA fantasizes its inception as a Golden State recapitulation of the in-gathering of the Jews under the Word: "The AMCHA Initiative strives to bring together Jewish people from all over California so that they might speak in one voice . . ."

These clashing perspectives play out in many ways. For example, Klein sees checkpoint and settlement as symbols of Palestinian erasure; his critics see their dismantling as precursor to Jewish elimination.

Both Klein and his adversaries claim objectivity, implying the others' partisanship. There is no reason to distrust their sincerity, even though their reasoning falls short. Klein extracts vignettes from the public record that, placed side by side, become an unbroken epic of apartheid. His critics present his objections as a rejection of Israel itself. They then elevate this rejection into contempt for Jewishness and Judaism—anti-Semitism. These moves are rhetorical, not substantive.

These positions reflect a larger battle to define Israel. Klein draws on the new historians. Since the '80s, they have explained Israel as Jewish refugee and pilgrim, yes, but also as invader and occupier. His critics, like AMCHA, view Israel not only as a covenanted nation but as the exemplar of Western liberties in a benighted region. These two views say as much about history writing as history. Israel has had its whig historians who trace its evolution to its founding ideals and texts. But now other writers see practices that compromise or call into question those ideals.

Thus, AMCHA's strident characterization of Klein's web page as anti-Semitic reflects a partisan and sectarian view. To enforce this view on political academic speech is to truncate the only enduring corrective to error and abuse, discourse itself. It is to suborn speech and thought to very thing that George Washington warned against, entangling alliance with a foreign power. And it is to violate the separation of church and state, sacrificing secular debate—the market place of ideas—to self-appointed sectarian panels who pronounce upon political correctness according to conformity with the covenant.

Anti-Semitic hate speech indeed is disturbing. It demeans religious belief and practice; it demonizes people, ignoring historical complexity and context. Often, it views violence as a justifiable retort. Universities should rebuke such speech. But the courts have signaled to public universities that they have a special responsibility to harbor even extreme speech. Otherwise, access to the audiences of higher education would be governed entirely by guardians of the private sphere; and they can erect barriers to opinions that conflict with their mission. Public universities can move to sanction hate speech; but the sanction is more likely to pass legal scrutiny if the speech is part of an indisputable pattern and/or an immediate threat to life and property.

AMCHA charges, too, that Klein is guilty of misusing state resources—the CSUN web—for political ends, citing state code. But AMCHA conducts some of its political work through UC email accounts, while SPME has solicited sponsorships for its lectures from UC departments. There is nothing fundamentally wrong with SPME and AMCHA’s political advocacy in an educational context. The context presents advocacy as a contestable proposition. Critical response and further retort simulate the exacting exchange that should characterize thoughtful debate outside the university.

AMCHA, on the other hand, would eliminate nearly all political speech that had the slightest trace of public funding in higher education. Invoking the apparatus of the state to proscribe broad categories of speech in hubs of innovation and disruption like public universities will have the paradoxical effect of chilling public exchange while heating up zealotry.

Proscription dodges the basic issues. Just as there never has been an international Jewish conspiracy to fleece the banking system, there is no conspiracy among Jewish intellectuals in universities and media to pull the wool over the public’s eyes about Israel. Arch defenders of Israel must do a better job of winning the hearts and minds of people who, three generations after Holocaust, do not see the greater land as its fragile consequence.

**Harry Hellenbrand
April 2012**