

Labour Disclosure ‘Shows Antisemitism Was Weaponised Against Corbyn’, Activists Say

Former leader's disciplinary code, which was criticised by pro-Israel groups, is still being used under Starmer, party officials admit after court hearing

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A group of Labour activists fighting through the courts to discover why they and others were investigated or expelled from the UK’s Labour Party for antisemitism say they have flushed out proof of bad faith from their accusers.

The group, who call themselves Labour Activists for Justice (LA4J), say the new disclosure confirms their claim that leading Jewish organisations intentionally politicised the meaning of antisemitism to entrap left-wing critics of Israel and undermine Labour’s former leader, Jeremy Corbyn.

As a result, the number of cases of antisemitism in Labour was inflated, falsely feeding the public impression that the political party under Corbyn had attracted Jew haters, say the Labour activists.

The suggestion that groups like the Board of Deputies of British Jews and the Jewish Labour Movement “weaponised” antisemitism against Corbyn is currently seen as grounds by Labour to suspend or expel members.

But according to LA4J, evidence revealed in their legal case has now vindicated that claim.

The activists note that Jewish groups that waged a campaign of attacks on Corbyn over an antisemitism code of conduct drafted by the party in 2018 are now “[deafeningly silent](#)” on discovering that Keir Starmer, Labour’s new leader, has been secretly using exactly the same code.

When it was first published, the Board of Deputies and other Jewish organisations erupted in outrage, alleging that the 16-point code was proof of “institutional antisemitism” in the Labour party – and even that Corbyn [posed a threat](#) to Jewish life in Britain.

But the admission by Starmer’s officials that they are using the same code of conduct to investigate members has gone entirely unremarked three years later.

That is despite a submission to the courts from Labour’s own lawyers that the code had

been kept secret because its publication might prove “politically incendiary”.

LA4J point out that back in 2018 the Board of Deputies, the Jewish Labour Movement and other groups insisted that Corbyn replace the code with an alternative, controversial definition of antisemitism produced by the International Holocaust Remembrance Alliance (IHRA).

According to the activists, the current silence of these Jewish groups, after Starmer’s officials have conceded that they are using Corbyn’s code rather than the IHRA definition, further indicates bad faith.

Despite public statements to the contrary, the organisations knew that the IHRA definition was unworkable for Labour’s disciplinary procedures back in 2018, LA4J say.

“If Labour believes that the code issued by Corbyn was ‘incendiary’, the question is where is the bushfire now, when Starmer’s team admit they are using the very same code,” Chris Wallis, a spokesman for LA4J, told Middle East Eye.

“One of the things this case suggests is that groups like the Board of Deputies hoped to weaponise antisemitism as a way to attack Corbyn.”

Disciplinary process ‘back to front’

The group’s legal action is due to reach the High Court in June. It will be the first wide-ranging legal examination of Labour’s disciplinary procedures relating to antisemitism. In October 2019, the High Court [ruled](#) that the suspension of then-Labour MP Chris Williamson for “bringing the party into disrepute” over antisemitism allegations was illegal, though the judge did not overturn a second suspension that ousted him from the party.

Eight party members, including three Jews, are pursuing the case after they were investigated for alleged antisemitism. LA4J estimates that at least [30 Jewish members](#) of the party have been accused of antisemitism, some repeatedly.

Late last year the Equalities and Human Rights Commission (EHRC), the UK’s equalities watchdog, issued a [report](#) critical of Labour’s handling of antisemitism cases, especially over what it termed “political interference” by Corbyn’s office, which it said had resulted in “a lack of transparency and consistency in the complaints process”.

However, the EHRC found that in practice such interference chiefly harmed the interests of those accused of antisemitism rather than their accusers. Corbyn’s officials often tried to speed up investigations in the hope of ending the barrage of criticism from Jewish organisations.

LA4J argue that hundreds of members have been drummed out of the party in a process that has lacked the transparency and fairness demanded by the EHRC. The procedure, they say, has failed to provide those under investigation with an opportunity to challenge the allegations.

Most members receive a “notice of investigation” that typically cites social media posts as evidence of antisemitism. In some cases, members have been accused of sharing articles from prominent websites, such as Electronic Intifada and Mondoweiss, known to be harshly

critical of Israel for its repeated violations of Palestinian rights.

No explanation is made in the notice of why party officials believe the posts to be antisemitic. Instead, it is required of those [under investigation](#) to demonstrate why their posts should not be considered antisemitic.

The notices also demand that members under investigation not publicise their case or the information that is being used against them. It is unclear whether they are even allowed to seek legal advice. Instead, they are encouraged to get help from a GP or the Samaritans to aid their “wellbeing”.

Wallis, a former BBC radio drama producer who has been under investigation since last year, is one of the eight members taking the party to court.

“The disciplinary process has been entirely back to front,” he said. “We were never told about the secret code being used to judge our cases and it was never explained how what we did was antisemitic. The assumption was that we were guilty unless we could prove otherwise, and we were expected to incriminate ourselves.”

‘Sickness’ in Labour

At a preliminary hearing in February, the Labour Party argued that the courts had no place adjudicating on its handling of antisemitism cases. However, the judge approved the High Court hearing for June and [awarded costs](#) against Labour.

In what appears to be an attempt to avoid a second adverse ruling, Labour officials made the disciplinary process more transparent last month by divulging how it assessed antisemitism cases.

Starmer’s officials [published](#) on the party’s website the same antisemitism code of conduct that had been drafted during Corbyn’s time as leader. They did so despite a submission from one of Labour’s senior lawyers during February’s court hearing that such an admission could prove “politically incendiary”.

That was because a wide range of Jewish leadership groups rounded on Corbyn and Labour over the code when it was first published in July 2018.

Dave Rich, head of policy at the Community Security Trust, set up to protect Jewish communities from antisemitic attacks, lambasted Corbyn in an article in the [Guardian](#) headlined “Labour’s antisemitism code exposes a sickness in Jeremy Corbyn’s party”.

A [blog](#) on the Trust’s website added that the code “brazenly contravenes basic anti-racist principles”.

The Board of Deputies and the Jewish Leadership Council, both claiming to represent Britain’s Jewish community, [stated](#) that the adoption by Corbyn’s officials of the code would “further erode the existing lack of confidence that British Jews have in their sincerity to tackle antisemitism within the Labour movement”.

The Jewish Labour Movement, a Labour party affiliate connected to the Israeli Labor party, [argued](#) that the code was “a get out of jail free card” for antisemites, and [claimed](#) it

breached equalities legislation.

Ephraim Mirvis, the UK's chief rabbi, called the code "a [watershed moment](#)" for Labour and warned that it sent "an unprecedented message of contempt to the Jewish community".

Dozens of rabbis backed him, [accusing](#) the Labour leadership of having "chosen to ignore the Jewish community".

And the Campaign Against Antisemitism, a pro-Israel lobby group, [argued](#) that "the code seems to be designed to give free rein to certain forms of antisemitic discourse".

'It was about who was in charge'

But despite the outpouring of concern back in 2018, note LA4J, Jewish organisations have remained silent since Labour revealed that the same antisemitism code of conduct introduced under Corbyn is being used by Starmer's officials in disciplinary cases.

"This was never about what was going on inside Labour, as was claimed," said Wallis. "It was about who was in charge. The aim was to remove Corbyn at all costs."

Labour's stated goal in drafting the code in 2018 was to assist with ironing out problems in the IHRA definition, which was being aggressively lobbied for by leading Jewish groups.

In particular, Corbyn's code provided additional context to help judge aspects of the IHRA's 11 potential examples of antisemitism, seven of which relate to Israel.

The code warns that the IHRA text "is not a legal definition, and on its own does not provide clear guidance about the circumstances in which particular conduct should or should not be regarded as antisemitic".

The Labour antisemitism code also emphasises a need for "respectful debate" between party members when talking about contentious political matters around Israel and warns that the party "will not tolerate name-calling and abuse".

The concern among Corbyn's team was that the definition would shift the focus of antisemitism away from hatred of Jews to criticism of Israel, and expose activists supportive of Palestinian rights to investigation.

The imprecision of the IHRA definition, and its politicisation of antisemitism, had already been widely criticised, including by a former [Court of Appeal judge](#) and the British parliament's [home affairs select committee](#).

Kenneth Stern, the chief architect of the IHRA definition, had also weighed in to note that it was unsuitable for use in disciplinary procedures and was being "[weaponised](#)" by elements of the Jewish community to stifle criticism of Israel.

Jewish organisations, on the other hand, argued that Corbyn was using the Labour code to avoid adopting the IHRA definition in full with all its examples, and implied that his motivation was to make Labour hostile to British Jews.

Facing the backlash, and concerted criticism in the media, Corbyn's officials appeared to discard the code and instead [adopted the IHRA definition](#) in full a few weeks later, in September 2018.

Definition 'not fit for purpose'

It is unclear whether Corbyn's officials ever used the 2018 code to adjudicate in disciplinary cases. But LA4J say its adoption by Starmer's officials – and their efforts to hide the fact that they were using the code – confirm that the IHRA's definition was indeed unworkable.

Jenny Manson, a co-chair of Jewish Voice for Labour, which was set up in 2017 to show support for Corbyn among Jewish party members and is now supporting LA4J, said that the weaknesses of the IHRA definition must have been clear to organisations like the Jewish Labour Movement and Board of Deputies.

"Their current silence shows that they must have known the IHRA definition wasn't fit for purpose as it was," she said. "The additional code of conduct was needed. They opposed it in 2018, it seems clear, only because they were looking to damage Jeremy [Corbyn]."

Although LA4J argue that the code is fairer than the IHRA definition, they also say it has been widely misused against members as officials have sought to placate Jewish groups accusing Labour of being institutionally antisemitic.

Diana Neslen, an 82-year-old Orthodox Jew who has been investigated for antisemitism and sanctioned by the party, said:

"Even a quick look at [the code] suggests that all of us have been wrongfully accused. Indeed, we should never have been investigated in the first place."

LA4J hopes that, with the code no longer secret, Labour members will have a better chance to challenge current and future investigations conducted against them by party officials.

Neslen warned, however, that existing injustices needed to be addressed too: "What are they going to do about the hundreds of people already judged under the secret code, including me?"

She and LA4J have called for those suspended or expelled to have their cases reopened and the evidence reassessed in a transparent manner.

The Board of Deputies, the Jewish Labour Movement, the Community Security Trust and the Jewish Leadership Council were all approached by Middle East Eye for comment. None had responded by the time of publication.

According to LA4J, their court case highlights how little evidence there was for the claim that antisemitism within the Labour party had been an especial problem under Corbyn's leadership.

Levels of antisemitism in Labour appear to be lower than in the wider British public, within which about five percent of people could "justifiably be described as antisemites", according

to [research](#) published by the Community Security Trust in 2017.

Corbyn's general secretary, Jennie Formby, issued [figures](#) in April 2019 that showed disciplinary action had been taken against just 0.08 percent of Labour's 540,000 members, even after the strict application of the antisemitism code and "political interference" by Corbyn's officials in speeding up disciplinary proceedings.

During the latest legal proceedings, Labour has revealed [equivalent figures](#) for Starmer, relating to the period between May last year and last month. Although details about the investigations are not precise, in the worst-case scenario an even smaller percentage of Labour members were found to be antisemitic.

These figures, the LA4J argue, suggest that Labour has not had an "antisemitism problem" under either Corbyn or Starmer.

That impression is shared by most Labour members. According to a [YouGov poll](#) commissioned last month by the Jewish Chronicle newspaper, a significant majority - 70 percent - believe that Labour does not have a serious problem with antisemitism.

Most appear to agree with Corbyn's reaction to the Equalities Commission report that the claims against Labour were "dramatically overstated for political reasons". That statement led to Starmer [expelling Corbyn](#) from the Labour parliamentary party.

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