

EHRC “Investigation into antisemitism in the Labour Party” A hatchet job in furtherance of a witch-hunt

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The Equality and Human Rights Commission’s (EHRC) “Investigation into antisemitism in the Labour Party” has been used to intensify false claims by right-wing political forces that “left-wing anti-Semitism” is rife and that it flourished during the nearly five-year period in office, from 2015, of former Labour leader Jeremy Corbyn.

When the report was made public on October 29, Corbyn challenged some of its findings while accepting all its recommendations. This was the pretext for Labour leader Sir Keir Starmer to immediately suspend Corbyn from a party he has been a member of for 55 years. Corbyn has still not been informed under which party rule he was suspended.

The EHRC report has been declared sacrosanct by the Labour bureaucracy, with all party branches and Constituency Labour Parties (CLPs) instructed that they cannot criticise the report, as, “The Party has accepted the recommendations in full. Consequently, motions [from CLP’s or branches] that seek to question the competence of the EHRC to conduct the investigation in any way, or repudiate or reject the report or any of its recommendations are not competent business and must be ruled out of order.”

Guidance to CLPs from General Secretary Dave Evans, who formally suspended Corbyn on Starmer’s behalf, states that “social media accounts of branches, CLPs and other Party Units should not be used to comment on the EHRC investigation or the publication of its report.”

This has been followed by an “alert” to all Labour branch meetings “and any other party units” that they cannot pass motions in defence of Corbyn. A letter from Evans warned CLPs that they cannot discuss “any aspect of individual disciplinary cases”.

After years of a relentless campaign to tar Corbyn and the wider left as anti-Semites—involving the Blairites in the Labour Party, the right-wing media and Tory government, the US and UK intelligence agencies and the Israeli state—the EHRC announced in June 2019 that it was investigating Labour for possible breaches of equality legislation.

The EHRC writes that its investigation was prompted by “serious public concern about allegations of antisemitism and a number of formal complaints” made to it. There are no concrete examples given in the report to evidence “serious public concern”. Explaining the background to its investigation, the EHRC states that it received “formal complaints,” in summer and autumn 2018, from two Zionist anti-Corbyn outfits, the Campaign Against Antisemitism (CAA) and the Jewish Labour Movement (JLM). The complaints “provided evidence of acts of antisemitism in the Labour Party” and its handling of antisemitism complaints.

The first thing calling into question the entire report is its statement that the JLM and CAA reports “included information about more than 220 allegations of antisemitism within the Labour Party, dating back to 2011.” The report does not make the obvious point that 2011 is *five years* before

Corbyn took office as Labour leader in September 2015.

Instead it does a sleight of hand, declaring, “The JLM’s and CAA’s concerns were not isolated. Public concern around the Labour Party’s handling of antisemitism had grown since 2015.”

It reports that “The Labour Party commissioned two inquiries into antisemitism in 2016: an overarching inquiry by Baroness Shami Chakrabarti and a specific inquiry into allegations of antisemitism at Oxford University Labour Club by Baroness Jan Royall. Also in 2016, the Home Affairs Select Committee (HASC) reported on its inquiry into antisemitism in the UK, following an increase in prejudice and violence against Jewish communities. Although it was not directly about the Labour Party, the HASC report, ‘Antisemitism in the UK’ (2016), focused on the Party as a recent source of allegations of antisemitism in political parties.”

The “recent source” of these allegations was from the Labour right-wing and their allies in government and intelligence circles, who were intensifying the campaign to remove Corbyn as party leader and who forced the convening of the inquiries cited.

The witch-hunt against Corbyn and his supporters, utilising false allegations of anti-Semitism, reached to the highest echelons of the US government. In June 2019, US Secretary of State Mike Pompeo lifted the veil on plans to prevent a Corbyn-led Labour government from coming to power in Britain in the upcoming General Election. At a Conference of Presidents of Major American Jewish Organizations, Pompeo was asked, if Corbyn “is elected, would you be willing to work with us to take on actions if life becomes very difficult for Jews in the UK?”

Pompeo responded, “It could be that Mr. Corbyn manages to run the gauntlet and get elected. It’s possible. You should know, we won’t wait for him to do those things to begin to push back. We will do our level best... It’s too risky and too important and too hard once it’s already happened.”

The EHRC investigation into Labour was initiated in June 2019, at the same time as Pompeo made his ominous statements.

The EHRC is only formally independent of the UK government, and receives its funding from the state. It was quick to investigate allegations of anti-Semitism with Labour under Corbyn but refused to investigate the Conservative Party despite having hundreds of cases of allegations of Islamophobia submitted to it by the Muslim Council of Britain. *Newsweek* magazine found shortly after the body rejected holding an investigation into the Tories in May this year that an EHRC commissioner, Pavita Cooper, failed to declare donations totalling £3,500 to the Conservative Party.

The EHRC produced a 130-page report but was unable to establish widespread anti-Semitism within the Labour Party because it did not exist after Corbyn was elected in September 2015 with the support of hundreds

of thousands of workers and youth. Membership soared to over 500,000 and by January 2020, three months before Corbyn was replaced by Sir Keir Starmer, Labour had 580,000 registered members—the largest of any party in Europe.

No-one has ever denied that actual anti-Semitic comments were made by a handful of people within the party's mass membership. But most complaints utilised politically hostile commentary regarding Israel's repression of the Palestinians to assert an anti-Semitic motive.

The sample complaints used by the EHRC to draw its conclusions are indicative of the lack of any concrete basis to claim that Labour's membership was rife with anti-Semitism. The EHRC says of the 70 examined complaints that it identified "concerns about fairness to the respondent in 42 of the 70 sample files."

Page 62 of the report comments, "Our analysis of the complaint sample showed that:

"Some letters of administrative suspension failed to identify the underlying allegations, or did so in a vague manner.

"The system for explaining allegations to respondents and giving them an opportunity to respond was not always effective.

"Some complaint files did not hold the identity of the complainant.

"Respondents were not told the identity of the complainant."

One example given is: "A member was sent a notice of investigation, which referred to comments they were accused of making that might meet the definition of antisemitism. The member was not told what those comments were said to be, when they were said to have made them, where, or to whom they were alleged to have been made."

The "evidence" gathered included a dossier of 200 cases of supposedly "vile antisemitism" collected by Labour MP Margaret Hodge. In July 2018, long before the EHRC case was opened, Hodge confronted Corbyn in Parliament's chamber and screamed in his face that he was a "f***** racist and an anti-Semite". According to Labour's then general secretary, Jenny Formby, an analysis of Hodge's dossier found that its complaints referred to 111 reported individuals, of whom only 20 were members of the Labour Party. There is no record of whether Hodge's complaints against these 20 had any substance whatsoever.

Formby handed to Labour MPs in February 2019 a report showing that, under Corbyn, the party investigated 673 alleged cases and had expelled 12 party members since the previous April. Figures prior to April 2018 were not available as there was no "no consistent and comprehensive system for recording and processing cases of antisemitism".

Despite all the claims made by Corbyn's opponents, Corbyn is not accused in the EHRC report of being anti-Semitic despite being mentioned on 12 occasions. Commenting on the report, EHRC Executive Director Alastair Pringle stated, "In the samples we analysed, we didn't find Jeremy Corbyn responsible for any unlawful acts of antisemitism."

Under the section, "Prevalence of antisemitic conduct in the complaint sample," it states, "[W]e found that the Labour Party is legally responsible for the harassment evidenced in two of the 70 complaint files".

It states in its findings, "These included using antisemitic tropes and suggesting that complaints of antisemitism were fake or smears." Calling the vast bulk of complaints of anti-Semitism "fakes" and "smears" is not anti-Semitic. It is called telling the truth.

The report was unable to cite any genuine cases of "harassment" of Jewish party members for which Labour was responsible. It identified the cases of only two Labour members, Ken Livingstone and Pam Bromley, both of which are without merit. It states, "we identified 18 more *borderline harassment cases* in the sample. In these files a person had committed conduct that could amount to harassment and held a position within the Labour Party, such as a local councillor, candidate for local election or Constituency Labour Party office holder. However, in these cases there was not enough evidence to determine whether the Labour Party was legally responsible." [Emphasis added]

So spurious and anti-democratic are the claims that criticism of Israel is a form of anti-Semitism that the EHRC feels obliged to reference protections of free speech and political comment afforded under Article 10 of the European Convention on Human Rights (ECHR). It is forced to point out in bullet points the following:

- "Speech does not lose the protection of Article 10 just because it is offensive, provocative or would be regarded by some as insulting."

- "Statements made by elected politicians have enhanced protection under Article 10."

- "Relevant factors will include whether speech is intended to inform rather than offend, whether it forms part of an ongoing debate of public interest and whether it consists of alleged statements of fact, or of value judgment."

It continues, "We also take into account how far the speech or conduct interferes with the rights of others, and the severity of impact of any measures that we might propose to take in respect of it.

"Article 10 will protect Labour Party members who, for example, make legitimate criticisms of the Israeli government, or express their opinions on internal Party matters, such as the scale of antisemitism within the Party, based on their own experience and within the law."

This is politically devastating for Starmer, and his cabal of witch-hunters. The EHRC itself is effectively ruling as undemocratic and an affront to human rights the disciplinary action taken against Corbyn and the party's ban on criticism of its report.

Corbyn accepted all the EHRC's recommendations in the latest of a series of capitulations to the Blairites that will leave his supporters open to victimisation. All that he said by way of a caveat was that "the scale of the problem" of anti-Semitism within the Labour Party was "dramatically overstated for political reasons by our opponents inside and outside the party, as well as by much of the media."

He commented as an elected politician, with "enhanced protection" under Article 10 of the European Convention on Human Rights; regarding "an ongoing debate of public interest"; and under the specific protection of Article 10 cited by the EHRC for Labour Party members who "express their opinions on internal Party matters, such as the scale of antisemitism within the Party, based on their own experience and within the law."

This means that Starmer, a barrister and former Director of Public Prosecutions, is breaking the law. But such legal niceties will not stop the witch-hunt of thousands of party members from proceeding. Nor will it stop the right-wing and its allies using the claim of "left anti-Semitism" to mount a wider assault on democratic rights, targeting opponents of Israeli, UK and US war crimes.

The EHRC makes recommendations that both the Labour right and Corbyn's faction have already agreed to. They collectively hand Corbyn's opponents, such as the Jewish Labour Movement (JLM), enormous power to control and formulate party policy and determine disciplinary procedures. The report states, in praise of Starmer, that the Labour Party should, "Continue to build on its new leadership's statement regarding its failure to deal with antisemitism" and "Make sure that it has a system and culture that encourages members to challenge inappropriate behaviour and to report antisemitism complaints."

The party must "Develop all education and training programmes on antisemitism in consultation with Jewish stakeholders." The specific task at hand is to convince the JLM to "re-engage with the Party on the issue of training" and build on "the commitment made by Sir Keir Starmer to re-engaging the JLM 'to lead on training about antisemitism'."



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