

# The Spectrum of Negative Criticism: From Objective Reasoning to Anti-Semitism

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## **ABSTRACT**

*The examination of anti-Israel statements for elements of anti-Semitism should begin with pinpointing an exact definition of anti-Semitism, as a type of racial discrimination, as set out in the International Convention for the Elimination of Racial Discrimination of 1965.*

*A negative assessment is a legitimate criticism when it is properly reasoned and based on principles, data, analyses, and forecasts, with the objective of reaching a sound evaluation. If a negative assessment is thus reached, it is legitimate criticism.*

*Meaning, context, and communication patterns must be analyzed to assess legitimate criticism. The speaker's justification for his or her statement on the subject can be evaluated by observing a personal connection to the subject, whether the subject is selective, and whether it concerns the speaker without bias.*

## 1. ANTI-SEMITISM

A starting point for a discussion of anti-Semitism and how it relates, if at all, to anti-Zionism, should be the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), adopted by the United Nations in 1965 and enforced as of 1969.

In its first clause, ICERD defines racism (“racial discrimination”) as a combination of two elements. First, it includes a distinction made between people based on “race, color, descent, and national or ethnic origin,” and it is related to distinctions based on sex or religion (which are mentioned in parallel conventions). It then forbids the use of such distinctions, which create prejudice or inequality in the application of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life.<sup>1</sup>

The State of Israel signed ICERD on March 7, 1966. This was significant for two reasons. First, because anti-Semitism is racism against Jews *qua* Jews, and it is now utterly unacceptable – not only morally, but also by international law as manifest in the convention. In addition, the State of Israel is the nation-state of the Jewish People, but, as such, it does not require special treatment for members of the Jewish nation. Rather, it requires proper treatment, regardless of race, both to Jews and to members of all other groups, regardless of their color, origin, gender, religion, or culture. Israel’s Proclamation of Independence states the right of the Jewish People to “be like any other people.” This implies that the right of the Jewish People should be regarded as no more and no less than that of any other people. This was true in the context of the proclamation of the state and has remained true with respect to all forms of racism.

## 2. LEGITIMATE CRITICISM

A negative attitude can be expressed in various ways. Racism is one form of negative expression. The most extreme type of negative denunciation of actions or activities are exemplified by the political assassinations of John F. Kennedy, Martin Luther King, and Yitzhak Rabin.

Legitimate criticism is the expression of a negative opinion in a reasoned manner. It is possible to argue a negative view of a specific action, decision, policy, rule, or constitutional law. One can provide a plausible reason for having a negative opinion of an individual who acts in a particular capacity, a group that acts on grounds of its views, an institution's policies, or a government's decisions based on its ministers' opinions. A negative assessment is a legitimate criticism when it is properly reasoned, based on principles, data, analyses, and forecasts, which are all taken into account while an evaluation is being formed of what is under consideration. If a negative assessment is thus reached, it is legitimate criticism.

A negative attitude can also be expressed without proper reasoning. A person who openly expresses feelings of hatred for Jews simply for being Jews does not qualify as a purveyor of legitimate criticism. The expression of hatred is a personal testament and not a claim based on arguments that lead to this negative position. Are feelings of hatred for Jews *qua* Jews an expression of anti-Semitism which is a form of racism?

The answer is complex, since expressing hatred may not express prejudice since it is possible to hate members of a group without discriminating against them. Yet, it is natural to interpret

expressions of hatred for Jews *qua* Jews or members of another ethnic group *qua* members of that group as racism, on grounds of the manifest prejudice and the presumed desire to turn hatred into practical discrimination. Expressions of hatred, such as those of Minister Louis Farrakhan, are presumably expressions of racism. The spirit of racism is encompassed by such expressions of hatred, even if it is not expressed unequivocally.

### **3. ANTI-SEMITISM OR LEGITIMATE EXPRESSION: THE STRUCTURE OF EXAMINATION**

Assume we face an expression of a negative evaluation related to the Jews of Israel. We have to find out whether it is an anti-Semitic expression, which ought to be fought against, or whether it is an expression of criticism that is legitimate though wrong, which should be rebutted. We can then present a method for determining the true nature of the expression we have encountered.

First, a statement has to be assessed on two levels: the meaning of the utterance and the context of utterance, by whom has it been used, and under what circumstances, that is, at what time, and in which place it was made.

We must not only examine the expression and the circumstances surrounding its usage, but also the background against which it appears. For example, Israel often offers humanitarian assistance in cases of natural disasters in foreign countries, with an IDF team quickly dispatched to those locations. Israel's rescue team is usually the first to arrive and is sometimes the only one to arrive. This happened in Haiti in 2010. A foreign journalist wrote an article in which he claimed that the Israeli team was "harvesting



United States Congresswoman Ilhan Omar (R-MN), 2019.

Photo: Yasin Ozturk/Andalou Agency

organs for transplants.”<sup>22</sup> This is a factual claim regarding the activities of the Israeli rescue team. The author had no evidence on which to base this claim, and indeed, it was false. Yet, the decision to publicize this fabrication shows us something about the journalist’s objectives.

The journalist apparently sought to achieve a certain objective by publishing this false claim, which casts aspersions upon the rescue team. It was intended to undermine the confidence the citizens of Haiti gave to the Israeli rescue team. Why diminish that confidence, when Red Cross International itself has ranked Israel as the top country in providing humanitarian assistance under such circumstances? If the journalist had written about other rescue crews behaving similarly, we could have seen it as a warning to the Haitians against corruption among rescue teams, in general. However, the claim was not made against all the teams, but only against the Israeli rescue team. It is apparent, therefore, that the decision to publish this fabrication stemmed from antipathy toward Israel just because it is Israel, in a commonly racist style.

Furthermore, Jews have historically been the targets of false claims regarding the usage of corpses for religious reasons, in the form of the infamous blood libels, the accusation of using the blood of Christian children in Passover *matzos*. These blood libels often resulted in the killing of Jews, both individually and *en masse*. It follows that this claim must not only be refuted, but also be marked anti-Semitic. The motive here is clearly anti-Semitic, and it should be exposed, especially since the dissemination of anti-Semitic stories could have practical effects, of which we should beware.

## 4. THE NEGATIVE VIEW OF THE “OCCUPATION”: A COMPLEX EXAMPLE

Sometimes negative opinions expressed about the State of Israel appear to be openly harsh expressions of anti-Semitic racism. One example is the social media declarations of a medical resident at the Kern Medical Clinic in Cleveland, Ohio, in 2019, tweeting that she would have liked to administer incorrect medication to Jews (“all the *yahood*”), citing her hatred of Israel as a justification.<sup>3</sup> Occasionally, however, a negative view requires accurate analysis.

A negative expression up for consideration is “The IDF has set up a regime of occupation,” referring to the territory taken in the east of the country by the State of Israel during the Six-Day War. A discussion of this example will help us differentiate between negative opinions that are legitimate criticisms and those that are expressions of anti-Semitism.

Generally, the expression “regime of occupation” is not a simple description of facts, but one that invites a negative view. Behind this expression is a negative opinion from a moral, religious, or ethical perspective of the situation in which the IDF still rules the territories that it has held since 1967. For the sake of discussion, we assume the moral perspective is being used in the condemnation of the regime of occupation.

The claim that every occupation situation as such deserves a negative moral evaluation is misleading and wrong. Does the situation in Germany following World War II, when the United States, the Soviet Union, the United Kingdom, and France legally occupied the country, require a negative moral evaluation because it was an occupation? Did the situation in the territories that the IDF legally occupied during the Six-Day War deserve a negative

assessment immediately after the war, just because it was a situation of occupation? Affirmative answers to these questions would be absurd. However, not every erroneous expression of moral consideration can be defined as racism.

Similarly, the common expression “occupation corrupts,” which is a moral denunciation of the occupation, is also misleading and wrong. As an analogy, many drivers behave in a manner that would not befit them in other circumstances, such as cutting off other drivers, yet they would not act similarly in a line for a cashier at a cinema or a store. Should we be required to conclude “the road corrupts?” It does not seem so since the moral problem is not driving or the road, but the tendency of drivers to drive in an improper (actually, illegal) manner. This tendency is seen on the road more than at a pharmacy due to psychological reasons that can be pinpointed: the feeling of restraint and the avoidance of friction on a human line is generally stronger than that in a line of cars. The expression “occupation corrupts” demonstrates an inclination to remove responsibility for poor behavior from the people and transfer it to the situations in which they find themselves at the time. However, it is not an anti-Semitic expression of racism.

Returning to the expression, “The IDF runs a regime of occupation,” we examine the context of such statements in addition to their content. The first question to ask is, “Why are you involved with protesting this ‘occupation?’” There are four possible answers:

1. “I have a personal justification for being involved, and I am against all situations of occupation.” A Palestinian on a college campus could give this answer, being committed to expressing opposition toward the Chinese occupation of Tibet as well. The personal identification here is not based on racism, and it is self-evident that this individual’s opposition to all occupations removes suspicion of anti-Semitism.

2. "I have a personal justification for involvement, yet I do not have any general view of occupations in general." Such a statement, when made by a Palestinian student on some U.S. university campus, expresses national concern solely. This is not a racist view, but it is immoral. Morality, as expressed in the general duty to respect the dignity of every person *qua* person is incompatible with being utterly disinterested in the fate of all national fates except that of one's own nation. Even though such an attitude is not manifestly racist, there is some natural though not necessary possibility that negative attitudes of this kind lend themselves to practical expressions of their core view. However, a practice that expresses core ethnocentrism often takes the shape of practical discrimination of those who do not belong to the person's ethnic group, which puts it on the verge of racism.
3. "I have no personal justification for being involved in this, but I have a general negative opinion regarding any situation of occupation." It is possible to support a general claim against occupations and protest them. If the opinion is not biased against a specific occupation, it is not an expression of anti-Semitism. Nevertheless, there is the question of why the person has specifically come to be involved with the Israeli occupation, while he or she is silent on other occupations, especially since one has no personal connection with this occupation. Therefore, this kind of bias in political involvement or lack thereof could make us suspect this person of nurturing some implicit form of anti-Semitism, but this cannot be shown without the person getting involved in additional, clearer forms of behavior.

4. "I have no personal justification for my involvement with this, and I have no position on occupation in general." This kind of answer, though it is rarely expressed openly, would make us wonder why he or she is getting involved specifically in this issue. In the absence of a general position against all forms of occupation, one's expressions regarding just one of them can be explained only in terms of personal bias toward it. Without a personal issue, the expression displays an inexplicably hostile attitude toward this specific occupation. Then, the best explanation for this behavior is an underlying racist attitude with respect to Israel. Since Israel is the nation-state of the Jewish People, a racist attitude towards Israel reflects a racist attitude towards the Jewish People. It is, then, anti-Semitism of a kind.

In conclusion, we can differentiate between a negative appraisal that is legitimate criticism and a negative appraisal that is an expression of anti-Semitic racism:

1. A negative opinion that is relevant and properly reasoned can be considered legitimate criticism, whether we agree with its content or not.
2. A negative opinion based on irrelevant differentiation, for reasons of race, color, origin, gender, faith, and so forth, is immoral because it does not adhere to the obligation to respect every individual's dignity, rights, and liberties.
3. A negative opinion based on irrelevant differentiation, with the aim of practical discrimination, falls within the definition of racism. When applied to Jews *qua* Jews, it is anti-Semitism.

4. A negative opinion of an aspect of the State of Israel, based on some irrelevant differentiation, meant to create discrimination against the State of Israel, as opposed to other countries, is defined as racism. As Israel is the nation-state of the Jewish People, this kind of negative opinion falls within the definition of anti-Semitism.

## Endnotes

- 1 <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>  
Article 1 of the Convention defines "racial discrimination" as:  
... any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.
- 2 <https://stephenlendman.org/2010/01/focus-on-israel-harvesting-haitian/>
- 3 <https://www.timesofisrael.com/dismissed-ohio-medical-resident-sorry-for-vowing-to-give-wrong-meds-to-jews/>



U.S. Congress members Rashida Tlaib (D-MI), Ayanna Pressley (D-MA), Ilhan Omar (D-MN) and Alexandria Ocasio Cortez (D-NY), collectively known as “the Squad,” at a press conference in Washington, DC, 2019.

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