



AUSTRALIAN JEWISH DEMOCRATIC SOCIETY

a progressive voice among jews, a jewish voice among progressives

PO Box 450, Elsternwick, VIC 3185

email: office@ajds.org.au

website: www.ajds.org.au

www.facebook.com/AustralianJewishDemocraticSociety

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Legislation
Antisemitism at Australian Universities
Parliament House
Canberra 2600

Supplementary Submission

This submission complements remarks made to the previous Senate inquiry on Antisemitism in Australian universities by the AJDS and the report of that Inquiry¹.

We also note that our remarks are made in the context of the firebombing at Adass Israel synagogue in Melbourne, and we are strongly aware of the heightened anxieties and fears in the Jewish community.

However, in the context of universities, we still consider our supplementary remarks valid and pertinent.

In reviewing the submissions from many people to the Senate inquiry, it goes without saying that we condemn threatening, disruptive, or demeaning behaviour towards Jewish students. Ethnic racial or political stereotyping is unacceptable, by either students or staff of students, whatever their background.

However, many submissions appear bitter about debate or protest on the issues of Gaza or Israel/Palestine, and state that this is threatening and antisemitic in nature and wish for this to be stopped on campuses and universities held responsible.

¹

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/AntisemitismBill

In light of the continuing conflict in Gaza, the West Bank and elsewhere, it is unavoidable that public debate and protest will disturb and challenge supporters of Israel but policing this debate cannot be put onto universities and simply classified as “antisemitism” or “hate speech”.

For example, the use of the term “genocide” to label Israeli actions in Gaza is considered by many Jews as reprehensible. Likewise, the slogan “from the river to the sea Palestine will be free” is considered as calling for the destruction of Israel or the genocide of Jews. These issues are fought out daily in the letters pages of the dailies and in other media. Debate over all these issues is also current in Israel.

The International Court of Justice (which Australia supports and on which it has an eminent, highly qualified Justice) is also considering whether genocide has been committed in Gaza. Whether or not one thinks the case has merit, the question of genocide and related issues is one that is part of public and legal debate in a free society, disturbing as it may be.

We are dealing with one of the most difficult moral debates of our time, and notwithstanding the crude rhetoric, sloganeering, or objectional behaviour by some students, universities are precisely the place where free argument should take place, subject to the behavioural rules set in place by universities. Commonwealth and State legislation provides the framework for more serious hate, vilification and physical acts that require stronger intervention. Inevitably, there will be other global or local political issues on which similar tensions arise, and the same principles should apply.

Indeed, it is particularly wrong to apply the IHRA Guidelines to universities, with its accusation that vigorous debate or protest on such controversial issues is using “double standards by requiring of Israel behaviour not expected or demanded of any other democratic nation,” and “drawing comparisons of contemporary Israeli policy to that of the Nazis”. As previously submitted by AJDS to the Senate, there are other guidelines such as the Jerusalem Declaration for considering campus political activity that do not stifle free speech.

To help with a deeper understanding of the issues of campus-based speech and behaviour, we commend to the committee a recent Task Force report from the University of Maryland from its President and Senate². This deeply nuanced report was produced by Jewish, Muslim and other experts. In it, the following observations were made (all emphasis by us).

[The] need to recognize the generational trauma experienced not only by Jews and Israelis on campus but also by Arabs (including Palestinians) and Muslims. Task Force members emphasized that disagreements need to be acknowledged and

² Joint Presidential and University Senate Task Force on Antisemitism and Islamophobia, <https://president.umd.edu/articles/joint-presidential-and-university-senate-task-force-on-antisemitism-and-islamophobia>

cannot be reduced to a common denominator, which in turn requires addressing the question of how to hold discourse together while allowing for quite painful and uncomfortable conflict (p. 5).

One of the important distinctions that became clear to the Task Force, both from expert testimony and our own discussions, was between the experience of feeling uncomfortable and that of feeling physically threatened and unsafe. The University has a responsibility to keep all members of the campus community safe from harm or imminent threats of any kind. Indeed, as one of our free speech experts framed it, “you need to be physically safe to be intellectually challenged.” At the same time, as an institution whose mission encompasses intellectual growth for all participants, a commitment to engaging with unsettling or uncomfortable facts and ideas is necessary. To address conflicts without making others feel unsafe requires high standards of collegiality and pluralism. In return, community members must expect and be willing to feel uncomfortable and to see their fundamental assumptions challenged (pp. 5-7)

A source of tension among protestors on both sides was the use of language that was perceived as knowingly hurtful. On many instances, including while protesting, student supporters of Palestine have been called “terrorist” or other similar epithets. There were also instances where pro-Palestine protestors encountered dismissal of mass Palestinian civilian casualties (p. 12).

As a solution to speech and behavioural issues, we suggest that university administrations, put far more emphasis, in both signage and messaging to students, on “high standards of collegiality and pluralism” when it comes to political debate and activity.

Political controversies are not going to go away, but on-campus speech and behaviour can improve. Collegiality, tolerance and pluralism appear to have gone missing in student political activity in the era of polarization. Faculty also need to be reminded of the principles of collegiality, tolerance and pluralism when touching on sensitive political issues. Permission for holding events should be tied to written commitment by student organizations to behavioural standards and sanctions. Likewise, it needs to be made clear to students that being at university also involves challenges to core beliefs and assumption and at times, discomfort, whether in the classroom or in on-campus encounters.

In all of this, as the University of Maryland report makes clear:

Another challenge for university staff, especially those in high-profile administrative positions, is the sudden burden of unfamiliar pressures for which they are unprepared. Campus offices have been inundated with thousands of communications from all sides, on issues that are complex and may be completely unrelated to staff members’ regular responsibilities. The added stress and time

commitment that result from such experiences can impact both staff morale and the professional atmosphere in which they work (p. 10)

There should be appropriate resourcing and support for staff dealing with the complex external political environment and how it manifests itself on campus, including vigorous lobbying or protests. We also believe that such pressures are not going to go away. It is also clear that complaints processes over not just antisemitism, but other forms of racism need to become less burdensome and much more efficient.

In its submission to you, we note the engagement by Universities Australia in engaging with a range of key stakeholders on the question of antisemitism and Islamophobia. This could be an efficient way of acting as a clearing house on relevant issues, particularly for universities with smaller numbers of Jewish or Muslim students or problems that arise for other minorities in the future.

Likewise, high level, independent research such as that being conducted at Monash University into the nature of antisemitism and Islamophobia and subsequent strategies could be a model for other universities, but such work requires ongoing funding by government.

Sincerely

Dr Larry Stillman / Harold Zwier

For AJDS