

Annex 2

Stephen Marks

Mr Stephen Marks is Jewish, brought up in a mainstream United Synagogue Jewish family and had his barmitzvah there. He spent his gap year in Israel attending courses at the Hebrew University in Jerusalem.

Mr. Marks has a 40-year history of activity in the Labour Party, first in Hampstead and Highgate, and since 1991 in Oxford East.

Party positions held include: branch chair, GC delegate, Political Education Officer and a former Oxfordshire County Councillor and deputy group leader. In 2018, when he stood as and was successfully elected to the NCC, he was Vice-Chair of Oxford District Party.

He is also a life member of the NUJ (now retired); a former FoC, branch committee member, industrial council member, Trades Council delegate, and national conference delegate. He represented members in disciplinary cases and before industrial tribunals. As a local party EC member he chaired selection and panelling meetings for local government candidates.

A committed Labour socialist, he has been active in antiracist campaigns and international campaigns for human rights. He has therefore found it particularly painful as a Jewish member of the Party, to be accused of undermining Labour's ability to fight against racism and antisemitism.

In addition, Mr. Marks is a member of the JVL committee and an elected member of the NCC, bringing to that post his knowledge, as a Jew, of antisemitism and of discrimination.

This month he has been suspended from the Labour Party for charges with no substance at all; there is nothing that could be described even as opaque or open to interpretation in the evidence cited. It appears he has been singled out precisely because he is JVL committee member and because he is a rare Jewish member of the NCC with the expertise to understand what is and what is not antisemitism.

The letter that Mr Marks received from the Labour Party suspending him from membership is confidential. But we can reveal the broad outline of it.

The draft charge is phrased as follows:

Mr Stephen Marks (the Respondent) has engaged in conduct prejudicial and / or grossly detrimental to the Party in breach of Chapter 2, Clause I.8 of the Labour Party Rule Book because it:

1. May reasonably be seen to demonstrate hostility or prejudice based on race, religion, or belief; and / or

2. may reasonably be seen to involve antisemitic stereotypes and sentiments; and / or
3. undermines the Party's ability to campaign against racism; and / or
4. suggests that complaints of antisemitism are fake or smears.

The evidence adduced consists of 3 public documents which date from July 2016, April 2017 and April 2018 where Mr Marks' name is to be found.

The first was signed by 43 Jewish members of the Labour Party, asking Chuka Umunna to "Stop using antisemitism smears against Corbyn"; the second by 145 members of the Labour Party a substantial number of whom are Jewish, argued that such incidents of antisemitism as there were in the Party were infrequent and not systematic and that antisemitism accusations were being used to undermine the right to criticise Israel, the third a petition which garnered 7,689 signatories (including that of Noam Chomsky).

This petition started with an unabashed condemnation of all forms of racism, says that "we know anti-Semitism exists in society and needs to be combatted", but worried about the development of "a chilling culture of fear, self-censorship, of members afraid to openly ask questions and learn, particularly on social media".

It is unclear how the first three charges can even begin to be applied to these documents and Mr Marks support for them, such as it was. We are aware that NCC panels have rejected signatures on petitions as constituting evidence since the panel hearing such cases has determined that they are simply expressions of opinion. It is not a breach of LP rules for instance to hold the opinion that a particular individual should not have been suspended or disciplined.

Where there are many signatories to a petition, maybe running into hundreds or even thousands, to single out one individual for disciplinary proceedings cannot be justified without additional reasons.

Incidentally, the image showing Mr Marks having signed the second petition is selective in the list of signatories displayed. It is not a complete list. It is our belief that if any other signatories' names are displayed, all should be shown as otherwise the company in which Mr Marks signed it is incomplete and could be misleading.

The fourth charge is even more disturbing. At no point do these petitions even hint at the suggestion that complaints of antisemitism are in general fake or smears. What they all do, in one way or another, is point to a highly factionalised situation in the Labour Party after Mr Corbyn's election as Labour leader in September 2015 in which an increasing number of allegations of antisemitism were made. These complaints as Macpherson had suggested in 1999 in relation to allegations of racism must be recorded as such and assessed. But it is notable from for example the second Jewish Labour Movement (JLM) submission titled Closing Submissions on Behalf of the Jewish Labour Movement on 5th December 2019 that many of those allegations came in a wide variety of formulations.

Mr Marks is well aware distinctions need to be made in assessing accusations of antisemitism. Indeed, as a member of the NCC he has sat on a number of cases in every one of which the allegations of antisemitism have been upheld!

Leaders of certain Jewish communal bodies do not seem able to make these distinctions and act as if they can decide cases of antisemitism in advance, without any investigation into the context of statements being necessary. Even more disturbing, they deem certain views, held by many other Jews, as unacceptable. We are witnessing a split between Jewish opinions on this topic – particularly in what ways and to what extent criticism of Israel and/or Zionism might in certain circumstances be antisemitic – elevated into a divide in which certain opinions are to be drummed out of the Jewish “community” as not legitimate. And, by extension, to be drummed out of the Labour party.

Mr Marks is on public record, writing in 2018, that:

ANTISEMITISM CERTAINLY exists in British society, and in common with other forms of racism, bigotry and scapegoating, has been increasing in recent years as austerity and insecurity bite.

Its causes include ignorance, the growing tendency, especially on social media, to simplified conspiracy theories including memes about ‘Rothschild banks’, and confusion of all Jews with Israel, not least due to the uncritical support for Israel from official Jewish community organisations.

However, along with most Labour members, we totally reject the claim that Labour is “institutionally antisemitic”, or an “unsafe place for Jews”. We simply fail to recognise our party in this description.

We endorse these views and can only believe Mr Marks has been targeted as a critic of the current leadership, selected out from other signatories of these letters and petitions because of his prominent position, as a Jew in the Labour Party, holding political ideas that the Board of Deputies of British Jews and others do not deem “desirable” and find particularly threatening, it seems, when held by fellow Jews.