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## RESEARCH ARTICLE

# Moral Panic and Repression: the contentious politics of anti-Semitism in Germany<sup>1</sup>

**Donatella della Porta**  
Scuola Normale Superiore

**Abstract:** Moral panics can be used as a mechanism of repression of political and social protests through the definition of activists as challenging the core values of a society. Taking Germany as a critical case, the article analyses a number of aggressive campaigns mounted by the media and politicians against progressive artists and intellectuals, most of whom are from the global South, but which also includes Jewish people critical of Israeli actions, who have been accused of violating the German narrative in what has been defined as a “war” against anti-Semitism. After an

<sup>1</sup> I wish to sincerely thank the many friends and colleagues who have encouraged and helped me to develop a number of observations I had originally made in a Facebook post into a full-fledged, albeit short, book. At the Center on Social Movement Studies (Cosmos) of the Scuola Normale Superiore, Lorenzo Bosi, Hans-Joerg Trezn, Mario Pianta, Federica Stagni, Maria Chiara Franceschelli and Lorenzo Zamponi have provided valuable comments on the very early drafts of this piece. In Berlin, Asef Bayat, Daniel Bax, Jannis Grimm, Elias Steinhilper and Peter Ullrich have shared their experience and knowledge with me. Phil Ayoub, Wolfgang Streeck and Lesly Wood have provided detailed comments and encouragement. Just as he has over the last 43 years (since I sent him my very first paper in 1981), Sid Tarrow has been a most generous and skilled commentator on my work. I consider Herbert Reiter to be almost a co-author of this work as he not only helped to collect the relevant material, but has also been available throughout to discuss my doubts and exchange ideas on the development of a country that we both consider as, at least in part, our own. I also wish to thank Emmet Marron for careful language proofing. For this manuscript more than ever, while the merits are shared, the responsibilities are mine.

introduction to the repression of pro-Palestinian protests, I will begin by providing a methodological note, before going on to present the conceptualization of a moral panic and locate its mechanisms within an analysis of the repression of social movements. I will then present some cases that can be read through the sociological category of a moral panic, singling out the panic entrepreneurs and their forms of intervention as well as the outcomes of their actions. What this further analysis adds to the literature is a reflection on the contextual conditions for the development of such moral panic in a specific mass-media, regulatory and political context. I will then suggest that in the German case in particular the contextual conditions for the spread of the moral panic are related to: a) a bureaucratization of anti-Semitism policies, with the creation of a specialized bureaucracy; the adoption of a semi-legal definition of anti-Semitism through the development of an especially vague and blurred definition of anti-Semitism; and the assimilation of anti-Zionist peaceful forms of protests (such as BDS) as anti-Semitic; b) the development of political and cultural opportunities around the definition of the security of Israel as a “*raison d’État*” and a convergence on a selective, formalized official memory; and c) the alignment of the majority of civil society and mass-media around an official narrative.

**Keywords:** moral panic, social movements, repression, pro-Palestine protest, anti-semitism

**Author’s Information:** Donatella della Porta, email: donatella.dellaporta@sns.it

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## An introduction

*At the 2024 Berlin Film Festival (Berlinale) the prize for best documentary film was awarded to “No Other Land”, the joint work of the Palestinian film-maker Basel Adra and the Israeli journalist Yuval Abraham, which examines the shared commitment undertaken by a Palestinian and an Israeli citizen to uncover human rights violations carried out by Israel in the occupied West Bank. At the conferring ceremony the Palestinian artist condemned the massacres taking place in Palestine and called on Germany to stop delivering arms to the Israeli government (something that countries such as Spain, Ireland and Portugal had already committed to); the Israeli artist denounced the apartheid situation in his country and called for an end to the occupation. Almost immediately German politicians and journalists accused them of anti-Semitism,<sup>2</sup> threatened to remove funding from the festival and called on the Green Minister of Culture, Claudia Roth, to resign after the daily newspaper Bild had accused her of having applauded the speeches delivered by the artists.<sup>3</sup> After declaring that the statements at the gala were “shockingly one-sided and characterised by deep hatred of Israel”, her press office claimed that she had applauded the Israeli artist*

<sup>2</sup> Among them, Chancellor Olaf Scholz agrees that “such a one-sided stance cannot be allowed to stand” ([https://www.lemonde.fr/en/germany/article/2024/02/26/germany-probes-berlin-film-festival-in-anti-semitism-row\\_6561732\\_146.html](https://www.lemonde.fr/en/germany/article/2024/02/26/germany-probes-berlin-film-festival-in-anti-semitism-row_6561732_146.html)).

<sup>3</sup> <https://www.theguardian.com/world/2024/feb/27/german-minister-says-she-was-only-applauding-israeli-filmmaker-at-berlinale?fbclid=IwAR3LZYj1FDJ2JIRaxny0qARX0aL43SPXbk9AOEyxNVIZMayRv-qnQIT91M>

but not his Palestinian co-author. Following the scandalized reaction to their statements, both artists received death threats. As Abraham told the Guardian, “To stand on German soil as the son of Holocaust survivors and call for a ceasefire – and to then be labelled as antisemitic is not only outrageous, it is also literally putting Jewish lives in danger,” ... “I don’t know what Germany is trying to do with us,” he added. “If this is Germany’s way of dealing with its guilt over the Holocaust, they are emptying it of all meaning”.<sup>4</sup> Prior to the commencement of the event, a number of artists had already withdrawn from the festival, denouncing what they saw as a new wave of McCarthyism.<sup>5</sup> In a post on Instagram, the director of the festival, Carlo Chatrian, and the head of programming Mark Peranson, stated: “This year’s festival was a place for dialogue and exchange for ten days; yet once the films stopped rolling, another form of communication has been taken over by politicians and the media, one which weaponises and instrumentalises anti-Semitism for political means... The award ceremony on Saturday, February 24 has been targeted in such a violent way that some people now see their lives threatened. This is unacceptable. “We stand in solidarity with all filmmakers, jury members, and other festival guests who have received direct or indirect threats, and do not back down from any programming choices made at this year’s Berlinale”.<sup>6</sup>

The events surrounding the Berlin Film Festival are just the most recent example of a number of aggressive campaigns mounted by the media and politicians against progressive artists and intellectuals, most of whom are from the global South, but which also includes Jewish people critical of Israeli actions, who have been accused of violating the German narrative in what has been defined as a “war” against anti-Semitism (Younes 2022). In what is presented as ‘a work in process’, scholars created an “Archive of Silence” listing as many as 93 cases of silencing of the authors of pro-Palestinian statements between October 2023 and February 17, 2024. As the authors write, “As Germany continues to arrest dozens of Jewish people (specifically for protesting genocide, as a concept and with reference to the Gaza genocide), academics have documented a giant spreadsheet of all the canceled speakers and scholars in Germany of those who also oppose genocide”.<sup>7</sup>

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<sup>4</sup> <https://www.theguardian.com/film/2024/feb/27/israeli-director-receives-death-threats-after-officials-call-berlinale-antisemitic>

<sup>5</sup> As *El País* reported, “Two directors of the parallel program Forum Expanded withdrew their films as a sign of support for the Strike Germany collective, which calls for the boycott of all activities dependent on German state funds, such as this festival. The group urges agents in the cultural sector not to participate in them until Berlin puts an end to “McCarthyist policies that suppress freedom of expression,” specifically, “expressions of solidarity with Palestine.” (<https://english.elpais.com/culture/2024-02-20/the-berlinale-on-the-war-front-how-the-israel-palestine-conflict-undermined-the-film-festival.html>).

<sup>6</sup> <https://www.screendaily.com/news/berlinale-co-director-carlo-chatrian-says-closing-night-criticism-weaponises-antisemitism/5191159.article>

<sup>7</sup> <https://bricup.org.uk/article/german-academics-publish-archive-of-silence-listing-instances-of-censorship-on-palestine/>

A most dramatic episode of political repression hit, April 12 2024, the “Palestine Congress – We Accuse!” in Berlin, an event that was organized as a tribunal with testimonies about the violations of human right in Gaza by the state of Israel and the role played by the German state in them. After a long campaign of demonization and intimidation at mass-mediatic and administrative levels, including attempts to ban the event and the freezing of the bank account of a Jewish organization that co-organized the event, around 2,500 police officers converged on Berlin to control the about 800 holders of tickets for the event, that they eventually dissolved less than an hour after its beginning, Dr. Ghassan Abu-Sittah, a Palestinian-British surgeon and rector of Glasgow University, who had to testify about his experience as volunteer of Doctors without Borders in Gaza, was denied entrance at the Berlin airport. The Schengen ban the Berlin police imposed for one year was later declared illegal by the Court in Potsdam. Another of the scheduled speakers at the Congress, Yanis Varoufakis, former Greek finance minister and secretary general of the pan-European party Diem25, was also banned from entering the country as well as participating at the event in video-conference (a court case against the decision is pending). The protest camp “Occupation Against Occupation”, set up in front of the federal parliament, was also repeatedly attacked by police, that had also banned the use of any language other than German or English (including Arabic and Hebrew), Escalating policing was often used during the pro-Palestinian student camps that were organized in several universities since May 2024, with a convergent criminalization by mass-media and party politicians not only of the activists but also of the academics that called for a respect for the right to protest and free speech.<sup>8</sup>

This wave of repression has especially targeted what has been labelled “new anti-Semitism”, a term that includes criticism of the policies of the State of Israel, in a move that has “fuelled heated debates, caused scandalization and led to general bewilderment” (Assman 2021; see also Arnold 2024). While concern over the increasing evidence for anti-Semitism has mainly been triggered by attacks carried out by the Far Right, this new conceptualization of anti-Semitism in reality “spreads confusion, and targets the wrong opponents” (Assman 2021, 406). Indeed, controversy had already begun to emerge, even in academia, between supporters of the more traditional conceptualization of anti-Semitism, namely based on negative reactions to Jewish people and Judaism (Kohlsrueck and Ullrich 2015, 18), and those supporting new notions of what constitutes anti-Semitism (often focussing on the actions of Israel), which lack a semantic connection to Jews and Judaism (Ullrich 2022, 2; see also Ullrich 2024).

In Germany, the politicization of the debate on the repressive use of a specific definition of anti-Semitism had already become clearly visible a few years earlier, when the influential Cameroonian political theorist Achille Mbembe (who had previously been awarded several prizes in Germany, such as the Geschwister-Scholl-Award in 2015, the Gerda-

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<sup>8</sup> <https://antipodeonline.org/2024/05/15/policing-palestine-solidarity/>

Henkel-Award, and the Ernst-Bloch-Award in 2018) had his invitation to open the Ruhr-Triennale in March 2020 retracted. The controversy erupted as a result of an open letter against Mbembe written by the Free Democratic Party's (FDP) cultural policy spokesman Lorenz Deutsch, who was immediately joined by the Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism, Felix Klein, the Central Council of Jews in Germany and Jürgen Kaube, the lead editor of the *Frankfurter Allgemeine Zeitung*. The commissioner particularly challenged the statement that Mbembe had made claiming that the colonial occupation of Palestine was "far more lethal" than Apartheid South Africa, and that the occupation of Palestine was the "biggest moral scandal of our times". Significantly, notwithstanding the support expressed for Mbembe by various scholars, the German press did not report on the scholarly work that Mbembe had carried out on the colonial occupation of Palestine and "the generalized instrumentalization of human existence and the material destruction of human bodies and populations" (in Anonymous 2021). As summarized by a prominent scholar of the German memory of Nazi crimes, Michael Rothberg (2020), the accusations against Mbembe for relativizing the Holocaust and spreading anti-Semitic "Israel critique", were based on "a handful of citations from Mbembe's work mentioning the Holocaust, apartheid, and the Israeli occupation of Palestine", which amounted to "short and decontextualized excerpts", in a manner that he considered to be "tendentious, partial, and misleading" (Rothberg 2020).

The academic debate triggered by the Mbembe case addressed the historical conception of the Shoah as a unique event, the exclusive focus on anti-Semitism in the collective memory of Nazi crimes and, relatedly, the overlooking of the racist crimes perpetrated by the Nazis against other victims, as well as those committed by Germany and other European states more generally through colonialism and racism. While there is indeed an open debate on the specificities of anti-Semitism in comparison with other forms of racism (and even on the consideration of the former as part of the latter), academic reflections have moved towards an acknowledgement of the similarities between different forms of racisms, conceptualized in plural (Arnold and Axster 2024). In this sense, the controversy over the attacks on Mbembe were read as an updated version of the *Historikerstreit* in the mid 1980s, which has been defined as a "dispute about the singularity of the Holocaust" against a right-wing consideration of Nazism as a reaction to the Bolsheviks. While the construction of the Holocaust memory culture in the 1990s and early 2000s was based on this assumption of uniqueness of the crime committed, in the new controversy that very conception was challenged by the increasing centrality of colonialism, slavery, and anti-Black racism. Indeed, as Michael Rothberg (2020) has noted

Significantly, the 1980s were a moment when grassroots initiatives led the way in grappling with National Socialist legacies and helped created what we now see as the "German model" of memory and working through the past, ... Since the 1990s, however, such grappling has become official state policy and has lost its insurgent qualities.... With the

consolidation of official Holocaust memory culture in the two decades after unification, other questions started to percolate to the top that were absent from the debates of the 1980s. In particular, new points of comparison have emerged. The juxtaposition of Nazism with Stalinism remains a hot issue, at least in Eastern Europe, but in other parts of the world, including Germany, colonial violence, slavery, and, more broadly, anti-Black racism are now prominently on the agenda in discussions of coming to terms with the past.

As I will argue in what follows, this specific codification of the collective memory of the Nazi past undoubtedly played a role as the fight against anti-Semitism, initially promoted by progressive civil society, turned into the building of a state apparatus and an official power structure that transformed it into an instrument of racialization and repression. However, what that debate around the accusations of anti-Semitism levelled against Mbembe and of racism against its detractors failed to examine were the mechanisms through which this conception of anti-Semitism is implemented through the criminalization of dissenting views. In order to address this gap, recent developments in Social Movement Studies can offer a useful perspective through their attention to the relational dynamics of contentious politics, as a dynamic field in which different actors intervene by mobilizing on conflictual issues (della Porta and Diani 2020).

In what follows I will begin by providing a methodological note, before going on to present the conceptualization of a moral panic and locate its mechanisms within an analysis of the repression of social movements. I will then present some cases that can be read through the sociological category of a moral panic, singling out the panic entrepreneurs and their forms of intervention as well as the outcomes of their actions. What this further analysis adds to the literature is a reflection on the contextual conditions for the development of such moral panic in a specific mass-media, regulatory and political context. I will then suggest that in the German case in particular the contextual conditions for the spread of the moral panic are related to: a) a bureaucratization of anti-Semitism policies, with the creation of a specialized bureaucracy; the adoption of a semi-legal definition of anti-Semitism through the development of an especially vague and blurred definition of anti-Semitism; and the assimilation of anti-Zionist peaceful forms of protests (such as BDS) as anti-Semitic; b) the development of political and cultural opportunities around the definition of the security of Israel as a “*raison d’État*” and a convergence on a selective, formalized official memory; and c) the alignment of the majority of civil society and mass-media around an official narrative.

### Methodological note

This research is based on an empirical, in-depth analysis of cases of moral panic that employ accusations of anti-Semitism against progressive, antiracist intellectuals in Germany. Germany is considered to be special case due to the intensity and extent of the clashes over anti-Semitism, as well as the focus on “new anti-Semitism”. Especially, but not only after the 7 October attacks by Hamas, in which civilians were killed and hostages were taken, the repression of pro-Palestine protests as well as Palestinian culture in Germany has been highlighted by mainstream international media outlets, including the most influential dailies such as The New York Times, El País, The Guardian, and Le Monde. Therefore, by focusing on this case it is possible to look at the mechanisms involved in the contentious politics of anti-Semitism through a sort of magnifying glass. Further comparative research will, of course, be needed in order to ascertain the balance of similarities and differences with other countries.

In order to investigate the dynamics of the moral panic in question, I have carried out an in-depth analysis of 7 cases that focuses on the campaigns surrounding; a) the early resignation of Peter Schäfer from his position as Director of the Jewish Museum Berlin, in June 2019; b) the retraction of the invitation for the Cameroonian political theorist Achille Mbembe to the Ruhr-Triennale in March 2020; c) the resignation of the artist Ranjit Hoskote from the selection committee (Findungskommission) of the *documenta 16* art festival in November 2023; d) the cancellation of the conferring ceremony for the Hannah Arendt prize for political thought, awarded by the Green-party affiliated Heinrich Böll Foundation to the journalist Masha Gessen, in December 2023; e) the firing of the anthropologist Ghassan Hage from his position as visiting scholar at the Max Planck Institute for Social Anthropology in Halle, in February 2024; f) the attacks on film-maker Basel Adra and the Israeli journalist Yuval Abraham following their speeches at the award ceremony of the Berlinale film festival, in February 2024; and g) the firing of the philosopher Nancy Fraser from the Albertus Magnus Professorship by the University of Cologne in April 2024.

In all of these cases, the research carried out is based on an analysis of material related to the events published on the webpages of the institutions involved, as well as a web search encompassing the mass media in German and English. For each study, I have collected information on the biography of the targeted person (gender, age, nationality, ethnic and religious background), their general intellectual positions, the moral panic entrepreneurs involved, their claims, the counterclaims made by the targeted individual, the counterclaims put forward by others, the media resonance of the case, legal and administrative proceedings, legal action undertaken by the targets and their outcomes. These data have been complemented by a secondary analysis of the existing research and five in-depth interviews with experts in the field.

### **Moral panic and dynamics of repression**

The concept of moral panic has been used to refer to a widespread and somewhat exaggerated fear that the culture or well-being of a society is under attack from evil actor. Moral entrepreneurs—from journalists to politicians, opinion leaders to lawmakers—trigger and steer the feeling of panic, with the potential consequences of bringing about new laws that increase control over society itself. These elements are included in the potential definition of moral panic proposed by Stanley Cohen (1973, 9) in his *Folk Devils and Moral Panics*: “Societies appear to be subject, every now and then, to periods of moral panic. A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to”. This is usually done to “exaggerate the seriousness, extent, typicality and/or inevitability of harm”. As part of this process, folk devils are stigmatized as deviant, considered to be outsiders *vis-à-vis* mainstream societal values and represented as posing a threat to them as they are responsible for what comes to be defined as a social problem. Unsettled times can be particularly prone to moral panics as they “gather converts because they touch on people’s fears and because they also use specific events or problems as symbols of what many feel to represent ‘all that is wrong with the nation’” (Critcher 2017).

A useful reflection on the development of moral panics was subsequently addressed in *Policing the Crisis: Mugging, the State and Law and Order*, in which Stuart Hall and his colleagues (1978) suggested that a “rising crime rate equation” had the ideological function of justifying increasing social control. In this vision, the construction of a moral panic develops in sequential stages including singling out an issue of concerns, connecting it with stigmatised minorities, labelling the problems in such a way that it links to other problematic issues, considering a threshold is overcome through previous permissiveness that requires a repressive turn. Often, moral panics build upon rooted racist fears, which are then linked to specific newly labelled threats, presented as challenging the moral orders on which societies are based. In this process, “People at the bottom of the scale are felt to be a vaguely menacing influence, not in any obvious revolutionary way, but they do undermine the beliefs which legitimate those who are in positions of superiority” (ibid., 161).

Various actors take part in this process. First of all, there are the moral entrepreneurs, that is the individuals and groups who trigger the panic and keep it alive. Secondly, the mass media produce “processed or coded images” of deviance and the deviants, by exaggerating or distorting information, especially in the early stage of the process; predicting catastrophic consequences if there is a failure to act; portraying a person, word,



or thing as a huge threat. As Hall and his collaborators (Hall et al 1978) noted, “The media do not simply and transparently report events which are 'naturally' newsworthy in themselves. 'News' is the end-product of a complex process which begins with a systematic sorting and selecting of events and topics according to a socially constructed set of categories”. Besides the bureaucratic organisation of the media which produces the news, “Events, as news, then, are regularly interpreted within frameworks which derive, in part, from this notion of the consensus as a basic feature of everyday life. They are elaborated through a variety of 'explanations', images and discourses which articulate what the audience is assumed to think and know about the society.” However, “the 'fit' between dominant ideas and professional media ideologies and practices. This cannot be simply attributed - as it sometimes is in simple conspiracy theories - to the fact that the media are in large part capitalist-owned (though that structure of ownership is widespread), since this would be to ignore the day-to-day 'relative autonomy' of the journalist and news producers from direct economic control”. It is the routine of news production that cues journalist into specific topics by “regular and reliable institutional sources” as well as by their following a notion of 'impartiality', 'balance' and 'objectivity': “The result of this structured preference given in the media to the opinions of the powerful is that these 'spokesmen' become what we call the primary definers of topics”. The media nevertheless intervene in the ideological reproduction through the process of transformation “on the 'raw materials' (facts and interpretations) which the powerful provide, in order to process these 'potential' stories into their finished commodity news form”. Media may so contribute to fuelling fear and indignation. Institutions of societal control are also key actors, which includes not only the police and the courts but also politicians and law-makers at both a local and a national level. The target of these efforts at scandalization is the general public, who may in turn eventually participate in the reproduction of the moral panic.

Erich Goode and Nachman Ben-Yehuda (2009) singled out the following defining elements of a moral panic: a "heightened level of concern over the behaviour of a certain group or category" (ibid. 37) and alleged serious consequences; and "an increased level of *hostility*" towards certain specific groups (defined as folk devils), which are "collectively designated as the enemy, or an enemy, of respectable society" (ibid., 38). Moreover "there must be at least a certain minimal measure of consensus" across at least "designated segments" of the society that "the threat is real, serious and caused by the wrongdoing group members and their behaviour" (ibid.), although there can be counter claim-makers who contest such a definition. Disproportionality is also considered to be a defining element: "public concern is in excess of what is appropriate if concern were directly proportional to objective harm" (ibid., 40). A final element is volatility, since moral panics erupt suddenly and often quickly subside. Moral panics have been understood as following a

grass-roots model, psychologically driven in the public; an elite plot, as mainstream entrepreneurs fabricate a panic to move attention away from other problems, or the action of a specific interest group (ibid.).

In capitalist democracies, moral panics have been considered endemic, with the perceived problem manipulated to varying degrees. While specific media outlets play an important role, moral panics are also exploited by politicians. However, counter-claims can disqualify the panic entrepreneurs. Indeed, the spread of moral panics has been connected with the characteristics of risk societies (Carrabine 2008, 162), the related spread of fear, as well as the diffusion of resentment, which manifests itself as moral outrage and an associated search for scapegoats (Young 2009). In times of unsettling social change, moral panic can be seen as an attempt to reaffirm some basic moral societal values (Critcher 2017).

A number of criticisms have been levelled at the concept of moral panic, including that it is an overly loose idea, that it is time-bound and that it denies agency (Critcher 2006; Petley, Critcher, Hughes and Rohloff 2013). However, I will suggest that it is nevertheless useful as an ideal type to single out the ways in which political repression also goes through phases of demonizing specific groups and even individuals within those groups, especially so in a highly mediatized society. It must be said that Social Movement Studies has previously examined the use of repression as an attempt to reduce the resources available for movements through strategies ranging from the intervention of the repressive apparatuses of the state to the stigmatization of specific groups (della Porta and Reiter 1998). While much of the research on repression has focused on the policing of street protests, the role of counter-movements has also been explored (della Porta 1995). Only occasionally has research also looked at the ways in which activists have been stigmatized as deviant in their social and political attitudes. In her work on the “soft repression” of women’s rights activists, Myra Max Ferree (2004, 87) stated that “Whereas hard repression involves the mobilization of force to control or crush oppositional action through the use or threat of violence, soft repression involves the mobilization of non-violent means to silence or eradicate oppositional ideas”. In her analysis, she notes that

The distinguishing criterion of soft repression is the collective mobilization of power, albeit in non-violent forms and often highly informal ways, to limit and exclude ideas and identities from the public forum. Also, although there are continuities between the uses of power for social control over individuals and for silencing and excluding social movements, as pointed out below, I think the concept of soft repression is most usefully applied to the non-violent uses of power that are specifically directed against movement collective identities and movement ideas that support ‘cognitive liberation’ or ‘oppositional consciousness’ (ibid.).

The mobilization of ridicule, stigma and silencing are the main mechanisms employed in this form of repression. While ridicule is practiced in every-day relationships, “stigma

means an impaired collective identity, where connection with the group is a source of discredit and devaluation because that is how the group as a whole is viewed, whether or not anyone makes an issue of it through name calling or other forms of ridicule” (ibid., 93). With regard to silencing, “Mobilization processes that are aimed at producing voice for groups in civil society can face soft repression in the form of system processes that specifically block such voices from being heard” (ibid. 94).

Looking at the actors involved in this form of soft repression, attention needs to be focused on actors other than the institutions of state control, and in particular on the role of societal actors, which includes civil society (Ferree 2004). In a similar vein, Gaia Maestri and Pierre Monforte (2021) have looked at the more private and subtle forms of repression that collective actors are subjected to in their everyday life that have affected participants involved in the British refugee support sector since the emergence of the so-called “refugee crisis” in 2015. These individuals often feel targeted by everyday hostile reactions from non-state actors who aim to silence, suppress or ridicule their engagement. As the authors have shown, the reaction to this form of repression often drives collective actors towards self-censorship and depoliticization. Aside from the use of every-day forms of stigmatization as an attempt to prevent critical voices, in my own work on protest policing (della Porta and Reiter 1998) I have also highlighted the importance of the formation of law-and-order coalitions, which bring together politicians, the mass media, and counter-movements.

When looking at these repressive dynamics, an analysis of the use of narratives of anti-Semitism can help us to understand the construction of the normative bases for the repression of pro-Palestinian protests, in particular, but also for the disciplining of migrants and racialized citizens more generally. In this direction, the concept of moral panic can offer a number of insights that enhance our understanding of these specific mechanisms of repression. In the analysis that follows, I aim to show how the targets and forms of moral panic involved in dynamics of repression are influenced by contextual facilitating factors, including institutional political and cultural opportunities as well as societal actors.

### **The moral panic surrounding “new anti-Semitism” in Germany**

An in-depth analysis of some recent cases of the disciplining and punishing of artists, intellectuals and academics in Germany reveals a dynamic of moral panic, with a disjunction between the narrative of an increased danger of anti-Semitism originating on the Left and from migrants from Arab backgrounds on the one hand, and the reality as shown by the official statistics on the other.

The considerable amount of investment in the struggle against anti-Semitism in the country is grounded in the perception that it is an increasingly spreading phenomenon, something that the official police statistics mainly attribute to the actions of the Far Right. The available data related to the years immediately preceding the 7 October Hamas attacks, which were reported by the Bundesverfassungsschutz Bericht for 2022 and based on BKA data,<sup>9</sup> reveal that of a total of 58,916 politically motivated criminal offenses (compared to 55,048 in 2021), 23,493 originated on the Right, 6,976 on the Left, 481 were from religious groups and 3,886 were attributed to foreign ideologies. Within this number, it can be seen that there out of a total of 1,016 violent crimes that originated on the Right, 796 were racist in nature and 53 had clear anti-Semitic motivations. On the Left, there are five non-violent antisemitic offenses. Two violent antisemitic crimes were committed by groups with religious ideology. As for the 226 violent crimes motivated by “foreign ideologies”, 12 were found to have had an anti-Semitic motivation. Similar patterns had also been singled out in previous years. For instance, according to official statistics, in 2016 there were 28 attacks and two attempted murders, and 28 physical attacks the following year, with about 95% of these committed by right-wing, white Germans. In 2017, almost 2000 right-wing motivated attacks were recorded targeting refugees, 900 on German Muslims, more than 100 on aid workers assisting refugees and more than 200 targeting parliamentary politicians who had come out in support of refugees, the right to asylum and anti-racist policies (Younes, 2018). From 2008–2016, around 2000 criminal acts were committed by right-wing activists (Younes 2020). According to the most recent report by Amnesty International on *The State of the World’s Human Rights*, which cites information provided by the German Ministry of the Interior, hate crimes are increasing. While racism, xenophobia and “hostility towards foreigners” remain the most common in absolute terms, the instance of anti-Semitic attacks is also increasing,<sup>10</sup> with almost all of these types of crime being the responsibility of the Far Right (in Kohlstruck und Ullrich 2015, 30).

Therefore, while anti-Semitism undoubtedly remains a significant challenge (ibid), the alarm surrounding its presence on the Left and among anti-racist actors does not chime with the official statistics. Both anti-Muslim and racist attacks would seem to be incredibly widespread, including in their more violent forms. Although the official statistics testify to fact that the use of political violence motivated by anti-Semitism was mainly concentrated on the Right, the most puzzling reaction to the war in Gaza has been the repression of public expressions of solidarity with Palestinians. Political support for Israel and the effort to locate the anti-Semitism challenge on the Left and among “non-German” citizens has provided the basis for the repression of expression of solidarity with Palestine.

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<sup>9</sup> [https://www.verfassungsschutz.de/SharedDocs/publikationen/DE/verfassungsschutzberichte/2023-06-20-verfassungsschutzbericht-2022-startseitenmodul.pdf?\\_\\_blob=publicationFile&v=6](https://www.verfassungsschutz.de/SharedDocs/publikationen/DE/verfassungsschutzberichte/2023-06-20-verfassungsschutzbericht-2022-startseitenmodul.pdf?__blob=publicationFile&v=6)

<sup>10</sup> <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

This even extends to the expression of humanitarian concerns for the suffering of the civilian population in Gaza, which tend to be considered as anti-Semitic due to the fact that they are critical of Israel. Slogans such as “Free Palestine” or “From the river to the sea, Palestine will be free” (but also “From the river to the sea, we demand equality”), as well as Palestinian symbols, such as the *keffiyeh*, have been banned.<sup>11</sup> According to Amnesty International, “After 7 October, a number of different restrictions on freedom of expression were imposed, particularly against those expressing solidarity with Palestinians. In November, the federal Ministry of Interior banned the phrase ‘from the river to the sea’ as a symbol of Hamas, despite the slogan historically being used with a variety of different connotations and by different actors.<sup>12</sup>” At the same time, ‘In February, seven UN Special Rapporteurs expressed grave concerns at the alleged ‘lack of effective reparative measures afforded’ to Ovaherero and Nama peoples in Germany’s former colony of ‘Southwest Africa’ (now Namibia), including lack of “an unqualified recognition of the genocide committed” against them during colonization between 1904 and 1908”

There have also been high levels of repression in the street. The report on *The State of World’s Human Rights* by Amnesty International, which covered the year 2023, stated as follows: “In May, the Berlin Assembly Authorities preemptively imposed blanket bans on protests in solidarity with the rights of Palestinians around the Nakba Remembrance Day in violation of the right to peaceful assembly. The grounds for the bans also violated the right to non-discrimination as they were based on stigmatizing and racist stereotypes of people perceived as Arab or Muslim. Also, after 7 October, numerous protests in solidarity with Palestinians were preemptively banned. There were media reports of unnecessary and excessive use of force by police, hundreds of arrests and increased racial profiling of people perceived as Arab or Muslim in the context of these protests”. The European Legal Support Centre (ELSC), which defends and empowers advocates for Palestine through legal means, documented 202 cases of political repression between 7 October 2023 and 31 January 2024, with 68 threats of legal action, such as administrative civil rights complaints, as well as 57 cases of harassment, intimidation, or violence against individuals or groups advocating for Palestinian rights; 39 cases refer to permission being denied to access or use specific locations, while in 20 cases Palestine related events were disrupted by physical interference by individuals or groups (Ragab 2024).<sup>13</sup> From 11 to 20 October, the ELSC listed 600 detentions among those expressing solidarity with Palestine in Berlin alone, alongside a series of criminal and administrative proceedings.

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<sup>11</sup> Among others, the Berlin Senate Administration, in mid-October, issued a letter to schools in the city allowing schools to prohibit the display of Palestinian symbols, including the *keffiyeh* and “Free Palestine” badges.

<sup>12</sup> <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

<sup>13</sup> [https://res.cloudinary.com/elsc/images/v1685978238/The-Practice-of-Suppressing-Palestinian-Rights-Advocacy-FINAL-PP/The-Practice-of-Suppressing-Palestinian-Rights-Advocacy-FINAL-PP.pdf?\\_i=AA](https://res.cloudinary.com/elsc/images/v1685978238/The-Practice-of-Suppressing-Palestinian-Rights-Advocacy-FINAL-PP/The-Practice-of-Suppressing-Palestinian-Rights-Advocacy-FINAL-PP.pdf?_i=AA)

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Moreover, the use of pepper spray and the deployment of police dogs have resulted in many injuries (Ragab 2024).<sup>14</sup>

While moral panic entrepreneurs have not been successful in spreading their message among the wider population, the effects of these campaigns are quite visible among certain intermediary groups, which include cultural and academic institutions, pressure groups, civil society organizations and the media. The bureaucratic implementation of the repression of expression of solidarity with Palestine by which criticism of Israel (referred to as “hate for Israel” or “Israel-linked anti-Semitism”) has been assimilated with anti-Semitism has been defined by many as hysteria, and has been compared to McCarthyism in the United States or the campaign against so called “RAF Sympathizers” in Germany in the 1970s. As Susan Neiman (2023b) noted:

it isn't the absence of historical reckoning with the Holocaust but a twist on it that has led today's Germany into a philosemitic McCarthyism that threatens to throttle the country's rich cultural life. In the past three years, German historical reckoning has gone haywire, as the determination to root out antisemitism has shifted from vigilance to hysteria. Every application for grants or jobs is scrutinized. ...Although police statistics show that over 80 percent of antisemitic hate crimes are committed by white, right-wing Germans, Muslims and people of color have been the most heavily targeted by media campaigns that have cost several their jobs.

In this context, moral panic dynamics can be identified in several recent cases of campaigns that employed accusations of anti-Semitism in order to target progressive intellectuals, who were often either non-German citizens or German citizens from migrant backgrounds, including a number with a Jewish background. At the end of 2023, the civil society organization Diaspora Alliance collected information relating to the cancellation of 59 discussions, performances, exhibitions, or contracts since 2021. As Susan Neiman has noted, “What can't be verified are those that stay behind closed doors. Juries would violate their commitments to confidentiality if they revealed how often someone was denied a prize or a job because of allegations of anti-Semitism by one third-rate blogger or another that were never proved. I know of four cases involving prominent figures that never became public. Nor can one count the numbers of those who self-censor before they are charged, or of those who ran into trouble but refrained from going public for fear of further reprisal” (Neiman 2023b). The targets of these actions are not only Palestinians or Arabs, but also Jews and Jewish organizations (as in half of the cases I have analysed in depth here). To cite one highly symbolic event, in March 2024 a German bank decided to freeze the account of the Jewish anti-Zionist organization Jewish Voice for Just Peace in

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<sup>14</sup> <https://www.aljazeera.com/news/2024/4/1/we-jews-are-just-arrested-palestinians-are-beaten-german-protesters>; See also, <https://www.middleeastmonitor.com/20240330-berlin-police-crack-down-on-pro-palestinian-demonstrators-assault-woman/>

the Middle East, demanding that the group provide a list of all of its members. The group stated that "In 2024, Jewish money is once again being confiscated by a German bank: Berliner Sparkasse freezes Jewish Voice account".<sup>15</sup>

In what follows, I will provide an in-depth reconstruction of three very recent cases of attacks on progressive intellectuals, who are all prominent promoters of anti-racist positions and have had accusations levelled against them within the narrative of "new anti-Semitism". In all of these cases, the attempts that were made to create a moral panic followed a similar sequence to that already sketched out for the *Berlinale* case:

- a) *The moral panic entrepreneurs*: including journalists, politicians from various parties, specialized administration bodies on anti-Semitism, cultural and academic institutions, pressure groups such as official representatives of the Jewish community, and representatives of the state of Israel;
- b) *The folk devils*: foreign progressive intellectuals who had not only been critical of Israeli policies but also of racism, while not expressing any vilification of the Jewish people; in some cases they were themselves Jewish;
- c) *The disciplining*: played out through witch hunt campaigns that ended up in the cancellation of conferring ceremonies, appointments and contracts and the retraction of prizes.

*Vignette 1*. In November 2023, the *Süddeutsche Zeitung* started a campaign on an alleged antisemitic scandal related to the major art exhibition *documenta*. The newspaper reported in alarmed tones about a petition that a member of the artistic selection committee (*Findungskommission*), Ranjit Hoskoté, had signed on 26 August 2019, entitled "Statement against consulate general of Israel, Mumbai's event on Hindutva and Zionism", which denounced Zionism as "a racist ideology calling for a settler-colonial, apartheid state where non-Jews have unequal rights, and in practice, has been premised on the ethnic cleansing of Palestinians".<sup>16</sup>

The following day, on 10 November 2023, *documenta* published a press release that referred to "yesterday's article in the *Süddeutsche Zeitung*" reporting on "the signing of a statement by Ranjit Hoskoté, a member of the *documenta 16* selection committee, which is considered to be close to BDS stating". The comments of the director of *documenta*, Andreas Hoffmann, are reported as follows: "The signing of the above statement by a member of the Finding Committee of the Artistic Direction of *documenta 16* is not even remotely acceptable to us as *documenta* and Museum Fridericianum gGmbH due to its

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<sup>15</sup> <https://twitter.com/JSNahost/status/1772930994053493027>

<sup>16</sup> <https://www.newsclick.in/Israel-India-Zionism-Hindutva-Israel-Consulate-General-Mumbai-Event>

explicitly anti-Semitic content".<sup>17</sup> As the *Sddeutsche Zeitung* story was picked up by other mainstream media outlets, just two days later, on 12 November 2023, Ranjit Hoskote issued a letter of resignation, denouncing what he called a smear campaign against him based on a lack of knowledge of the facts and the biased views of the journalists involved. In the letter he stated that the accusation of anti-Semitism was baseless given his profile as an anti-racist intellectual and claimed that there was a lack of transparency in the process. As he wrote,

The last few days have been some of the most deeply upsetting days of my life. The outrageous accusation of anti-Semitism has been levelled against my name in Germany, a country I regard with love and admiration and to whose cultural institutions and intellectual life I have contributed for several decades as a writer, curator and cultural theorist. German reporters, who do not know my life and work, have condemned, denounced and stigmatised me on the basis of a single signature on a petition that was taken out of context and not approached in a spirit of reason. I have been written about with harshness and condescension, and none of my detractors have thought it important to ask me my point of view. I have the strong feeling that I have been subjected to a mock judgement. I realise that there is no room for a nuanced discussion of the issues at hand in this poisoned atmosphere.

He also mentioned the pressure that was placed on him by the *documenta* leadership to sign a statement endorsing "a sweeping and untenable definition of anti-Semitism that lumps the Jewish people together with the Israeli state and accordingly casts any expression of sympathy for the Palestinian people as support for Hamas. My conscience does not allow me to accept this sweeping definition and this restriction of human empathy". Citing prominent Jewish thinkers who reject the equation of anti-Zionism with anti-Semitism, he stated that "A system that insists on such a definition and such restrictions - and that chooses to ignore both criticism and compassion - is a system that has lost its moral compass". In denouncing a situation in which the system had lost its compass, the artist also pointed to the suffering that his own family experienced during the Shoah and the respect for Jewish lives as expressed in his work:

I would like to emphasise once again that I hold the Jewish people in the highest esteem and have always felt the deepest sympathy for their historical suffering and admiration for their glorious cultural achievements. This is reflected in my essays, my lectures and my books. I am appalled by the accusation that I am anti-Semitic and by the insinuation that I need to be lectured on this sensitive subject. Simple biographical factors make this accusation absurd. ... I am no stranger to the Shoah; it is one of the strands of my own family history.

The artist also went on to explain that, while he was critical of the boycott advocated by the BDS movement, he had signed the particular statement in question as it was against

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<sup>17</sup> <https://www.documenta.de/de/press#press/3320-pressemitteilung-stellungnahme-zur-berichterstattung-der-sddeutschen-zeitung-vom-9-november-2023-nele-pollatschek-nicht-schon-wieder-documenta>



the paradoxical endorsement by the Israeli embassy of the work of a racist Indian ideologist. The petition in question was filed by the Indian Cultural Forum on 26 August 2019, in order to oppose a discussion organized by the Consulate General of Israel in Mumbai titled *Leaders' Idea of Nations: Zionism and Hindutva*. As he noted, “None of the German commentators who denounced me wondered why the Israeli Consulate General thought it appropriate to equate Zionism with Hindutva in the first place”.

For its part, a press release by *documenta* endorsed the media attacks on the artist, affirming that that faced with Hoskoté’s refusal to “distance himself unequivocally from his signature and the anti-Semitic content of the statement”, “[w]e need to consistently distance ourselves from all forms of anti-Semitism”.<sup>18</sup> Only a few days later, on 16 November, the remaining members of the Finding Committee (Simon Njami, Gong Yan, Kathrin Rhomberg, and María Inés Rodríguez) resigned in solidarity with their colleague, in doing so denouncing the lack of an appropriate climate of dialogue and respect in Germany. In their resignation letter they stated

If art is to take account of the complex cultural, political, and social realities of our present day, it needs appropriate conditions that allow for its diverse perspectives, perceptions and discourses. The dynamics of the last few days, with their unchallenged media and public discrediting of our colleague Ranjit Hoskoté, which forced him to resign from the Finding Committee, make us very doubtful if this prerequisite for any coming edition of *documenta* is currently given in Germany.. ...In the current circumstances we do not believe that there is a space in Germany for an open exchange of ideas and the development of complex and nuanced artistic approaches that *documenta* artists and curators deserve.<sup>19</sup>

There was very little coverage of this harsh criticism in the mainstream media.

*Vignette 2.* In December 2023, the Russian-American journalist Masha Gessen, who is Jewish and had herself lost family members in the Holocaust, found themselves at the centre of a moral panic campaign that culminated in the cancellation of the conferring ceremony of the Hannah Arendt Prize for Political Thought, which is awarded annually by the Green-party affiliated Heinrich Böll Foundation. The campaign was triggered by an open letter written by the *Deutsch-Israelische Gesellschaft Bremen/Unterweser e.V.* (German-Israeli Society) to the *Hannah-Arendt-Preis für politisches Denken e.V.*, the Senate of the Free Hanseatic City of Bremen, the *Heinrich-Böll-Stiftung Bremen* and the *Heinrich-Böll-Stiftung Berlin*. The association, which presents itself as focusing on “the development of bilateral relations between Germany and Israel in the areas of civil society, culture and economics” and collects donations for Israel<sup>20</sup>, called for the award to be

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<sup>18</sup> <https://www.documenta.de/de/press#press/3322-pressemitteilung-ranjit-hoskot-legt-amt-in-der-findungskommission-der-documenta-16-nieder>

<sup>19</sup> <https://www.e-flux.com/notes/575919/documenta-resignation-letter>.

<sup>20</sup> <https://www.deutsch-israelische-gesellschaft.de/>.

rescinded. The accusations made against Gessen were related to their alleged “trivialization” of the call for a boycott of Israel as well as the comparison they had made between the situation in Gaza and that of a Jewish ghetto. Demonstrating seemingly very little knowledge about Hannah Arendt’s position on Zionism, the letter stated that “The recent statements by Masha Gessen in an essay in the ‘New Yorker’ have made it clear that this would honor a person whose thinking is in clear contrast to that of Hannah Arendt”. It continued by suggesting that “this boycott movement has paved the way for the Hamas terrorists of October 7 to be trivialized or even celebrated as ‘liberation fighters’ in many places. As the German-Israeli Society, we are particularly alienated by Masha Gessen’s statement that Gaza was ‘like a Jewish ghetto in an Eastern European country occupied by Nazi Germany’”.<sup>21</sup>

Shortly after the publication of the open letter, both the city of Bremen and the Heinrich-Böll Foundation withdrew their support for the conferring ceremony, only two days before it was to take place at Bremen City Hall. On 13 December 2023, the Heinrich-Böll Foundation published the following statement, in which it laid out the accusations made against Gessen as follows: “In an essay for the *New Yorker* on 9 December, Masha Gessen compared Gaza with the Jewish ghettos in occupied Europe, among other things.... It implies that Israel’s goal is to liquidate Gaza like a Nazi ghetto. This statement is not an offer for open discussion, it does not help to understand the conflict in the Middle East. This statement is not acceptable to us and we reject it”.<sup>22</sup>

Following this, the prize was then awarded to Gessen in private, at a dinner attended by 14 people. However, due to the widespread international criticism of the decision to cancel the official ceremony, the foundation subsequently organized a gathering at a small venue on 18 December. During this event Masha Gessen asserted the importance of historical comparison in ensuring, among other things, that the Holocaust cannot be taken out of its historical context and presented as a unique event, something that would go against the ethos of the statement “never again”<sup>23</sup>. Gessen maintained that the advantage of knowing that something like the Holocaust could take place puts an onus on us to avoid it happening again by understanding the early signs of such an event. Gessen then argued that the denial of the right to undertake a historical comparison was a result of the particular culture that had developed around the fight against anti-Semitism in Germany. Indeed, in the contested essay in the *New Yorker*, published on 9 December, Gessen was careful in explaining the specific aim of the comparison, distinguishing it from the more widespread definition of Gaza as an open-air prison:

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<sup>21</sup> <https://www.dig-bremen.de/de/dokumente-downloads/open-letter-hannah-arendt-price-2023.html>

<sup>22</sup> <https://www.boell.de/de/2023/12/13/hannah-arendt-preis-masha-gessen-heinrich-boell-stiftung-zieht-sich-aus-der>

<sup>23</sup> <https://www.youtube.com/watch?v=oHczC-xKIqo>

For the last seventeen years, Gaza has been a hyperdensely populated, impoverished, walled-in compound where only a small fraction of the population had the right to leave for even a short amount of time—in other words, a ghetto. Not like the Jewish ghetto in Venice or an inner-city ghetto in America but like a Jewish ghetto in an Eastern European country occupied by Nazi Germany. In the two months since Hamas attacked Israel, all Gazans have suffered from the barely interrupted onslaught of Israeli forces. Thousands have died. On average, a child is killed in Gaza every ten minutes. Israeli bombs have struck hospitals, maternity wards, and ambulances. Eight out of ten Gazans are now homeless, moving from one place to another, never able to get to safety. The term “open-air prison” seems to have been coined in 2010 by David Cameron, the British Foreign Secretary who was then Prime Minister. Many human-rights organizations that document conditions in Gaza have adopted the description. But as in the Jewish ghettos of Occupied Europe, there are no prison guards—Gaza is policed not by the occupiers but by a local force. Presumably, the more fitting term “ghetto” would have drawn fire for comparing the predicament of besieged Gazans to that of ghettoized Jews. It also would have given us the language to describe what is happening in Gaza now. The ghetto is being liquidated. The Nazis claimed that ghettos were necessary to protect non-Jews from diseases spread by Jews. Israel has claimed that the isolation of Gaza, like the wall in the West Bank, is required to protect Israelis from terrorist attacks carried out by Palestinians. The Nazi claim had no basis in reality, while the Israeli claim stems from actual and repeated acts of violence. These are essential differences. Yet both claims propose that an occupying authority can choose to isolate, immiserate—and, now, mortally endanger—an entire population of people in the name of protecting its own.

Referring to the cancellation of the ceremony for the Hannah Arendt Prize, Gessen noted, “I’m certainly just another in a long, long line of people who have had their prizes withdrawn or ... postponed or who have been disinvited from events in Germany for the ‘sin’ of what Germans call leveling or relativizing the Holocaust”. It is interesting to note that a member of the jury that awarded Gessen the prize inadvertently revealed on a German public TV channel that since the decision in favour of the journalist had been made in the summer of 2023 “there had been no reason at the time to review their stance on the Israel issue”.<sup>24</sup>

*Vignette 3.* On 6 February 2024, the German newspaper *Die Welt* published an article on the anthropologist Ghassan Hage, one of the leading intellectuals on issues of racism and colonialism, accusing him of having posted antisemitic criticism of Israel on social media in relation to the war in Gaza. Hage was born in Lebanon, and lived through part of the civil war in that country, before moving to Australia where he is now Professor of Anthropology at the University of Melbourne. In 2023, he accepted a contract as visiting scholar at the Max Planck Institute for Social Anthropology in Halle. As in the previously mentioned cases, the basis for the accusation of anti-Semitism levelled against him remain

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<sup>24</sup> <https://www.tagesschau.de/inland/gesellschaft/hannah-arendt-preis-100.html>

somewhat obscure. However, also in this case, the institution in question rushed to endorse the accusations, and the very next day they published a press release entitled “Statement of the Max Planck Society about Prof. Ghassan Hage”. The statement itself is quite short and does not provide any information relating to the grounds for the decision, merely stating that the MPS has ended its working relationship with Hage. In a confusing reference that subordinates civil liberties to an assumed loyalty to the employer, the statement reads: “The freedoms enshrined in the Basic Law of the Federal Republic of Germany for 75 years are invaluable to the Max Planck Society. However, these freedoms come with great responsibility. Researchers abuse their civil liberties when they undermine the credibility of science with publicly disseminated statements, thereby damaging the reputation and trust in the institutions that uphold it. The fundamental right to freedom of opinion is constrained by the mutual duties of consideration and loyalty in the employment relationship. Racism, Islamophobia, anti-Semitism, discrimination, hatred, and agitation have no place in the Max Planck Society”.<sup>25</sup>

On 8 February 2024, Ghassan Hage responded with a “Statement Regarding my sacking from the Max Planck Institute of Social Anthropology”, which reconstructed the moral panic campaign that had been triggered by journalists accusing him of being an anti-Semite as well as a BDS agent that had infiltrated Germany:

On Wednesday 31<sup>st</sup> of January morning I woke up to an email from the right-wing newspaper *Welt am Sonntag*. They declared me to be ‘an activist for the BDS boycott movement for years’ which has never been the case. I take my job as an academic too seriously to have time to be an activist. I was informed that the newspaper’s so-called ‘research team’ that ‘since the Hamas attack on Israel on October 7th, we have noticed that you have been making increasingly drastic statements towards the State of Israel’... They had selected a few of my social media posts and wanted to know if I could understand if ‘critics classify your statements as antisemitic?’ ... Indeed, the article did happen. In it I was portrayed in conspiratorial terms as the henchman of some kind of BDS group. My job is to infiltrate academia. I had finished doing my job in Australia and was now set on infiltrating Germany.

The letter went on to outline how the Max Planck Society swiftly aligned itself with the media accusation: “No one in Munich, lawyer or otherwise, contacted me or sought my opinion about the above. The next day, on Thursday morning, the directors of MPI informed me that there was a central decision requiring that MPI sever its relationship with me. ... For anyone who knows the German landscape at the moment, there is nothing surprising about this happening to me. Many people other than me have copped a variation on this same treatment. It does not make it less infuriating”.

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<sup>25</sup> <https://www.mpg.de/21510445/statement-ghassan-hage>

As in the other cases examined here, the accusation of anti-Semitism was firmly rejected by the target as contradicting their long-standing public commitment to the fight against any form of racism and their rejection of violent means. As Hage wrote:

Needless to say, I stand by everything I say in my social media. I have a political ideal that I have always struggled for regarding Israel/Palestine. It is the ideal of a multi-religious society made from Christians, Muslims and Jews living together on that land. My academic writings on that matter, and they are considerable, attest to the way I have always struggled for this ideal. I have criticised both Israelis and Palestinians who work against such a goal. If Israel has copped and continues to cop the biggest criticism it is because its colonial ethno-nationalist project is by far the biggest obstacle towards achieving such aim. This is also true of my social media posts. My declarations of these ideals is there in my social media. My critique of Palestinians who work against such an ideal is there in my social media. And so is my critique of Israel's ethno-nationalism. If some right-wing journalists who dislike my politics decide to pick from all what I have written my critiques of Israel and accuse me of antisemitism, I expect my employer to know or at least to investigate my record and defend me against such accusations. Believing in a multi-religious society and critiquing those who work against it is not antisemitism. I will not accept to be put in a defensive position where I have to justify myself for holding and working for such ideals. ... This is why, when the Max Planck President's Office treated me as a liability that needs to be managed, and proposed that I go silently with a non-disclosure agreement, I refused and asked to be unilaterally sacked. I felt it was important that they produce a document where they state why they have chosen to sack me. (this is yet to be sent to me btw) ... I cannot describe how saddened I am by this. I felt I was participating in and achieving some great things with some wonderful people at MPI. The fact that this intellectual world I was part of can be destroyed so easily and that the managers of academic institutions run scared and let it happen rather than defend the vitality of the academic space under their management is a real tragedy<sup>26</sup>.

While the firing of Ghassan Hage was commented on in several German daily newspapers, whose titles focussed on what they termed an "Israel Hater" and an "anti-Semitism scandal", several academic associations made statements in his defence. Over the course of the following days, societies of anthropologists around the world (from Australia to the US, the UK, Canada, Japan and Germany) as well as groups of scholars (including from Israel) not only wrote letters to the Max Planck Society, but also signed petitions, pointing to the scientific and human commitment that Ghassan Hage had made to the fight against racism and for a non-denominational and multi-ethnic Palestinian state, while also criticizing the decision of the German institution as an infringement on the freedom of research and the freedom of expression. Neither the German mainstream press nor the Max Planck Society acknowledged these statements, with the latter only responding several

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<sup>26</sup> <https://www.blogger.com/share-post.g?blogID=7372963580033355722&postID=4309581775697818268&target=email>

weeks later with a short statement referring to the alleged refusal of Hage to comply with their requests to refrain from using social media, something that Hage has denied ever happened. A court case brought by Hage against his dismissal is still pending<sup>27</sup>.

These episodes resemble other moral panic campaigns, triggered by the mass media and subsequently taken up by political parties and institutions. A major example concerns the 2023 Frankfurt Book Fair, where the award ceremony for the "LiBeraturpreis" to the Israeli-Palestinian author Adania Shibli, for her novel "Minor Detail" was cancelled. As has been noted, "When Adania Shibli was not allowed to appear at the Frankfurt Book Fair, Jewish and Israeli authors resident in Germany read excerpts from her novel at the event under the banner of the PEN Club Berlin" (Weider 2024). Susan Neiman (who is herself Jewish) recalls the climate at the Frankfurt Book Fair as follows: "Jewish authors were asked if we wanted to be provided with personal security in addition to the armed guards roving the aisles. Along with tickets, bags were checked at the entrance, though one guard confided they weren't looking for bombs but 'political symbols'. Yesterday someone tried to smuggle in Palestinian flags".<sup>28</sup>

Other examples of moral panic campaigns include October 2023, when the Jewish Museum in Berlin fired a Jewish queer employee, Udi Raz, who is an activist of the Jewish Voices for a Just Peace in the Middle East. As he declared: "I used the term 'apartheid' during my tours to describe the human rights situation in the West Bank".<sup>29</sup> Elsewhere, the city of Aachen withdrew a prize it had awarded to the Lebanese-American artist Walid Raad and a similar action was undertaken by the city of Dortmund with the British-Pakistani writer Kamila Shamsie. Shortly after the *documenta* case, a museum in Saarland cancelled an exhibition by Candice Breitz, which had been planned for 2024. A number of prominent Jewish voices who are critical of Israel have been accused of being anti-Semitic, including the Israeli director Yael Ronen, whose prize-winning play *The Situation* was put on hold and Deborah Feldman, who saw many of her book presentations cancelled "after the German Jewish community's official newspaper called it "toxic from the first page to the last" (Neiman 2023b).

<sup>27</sup> [https://www.canberratimes.com.au/story/8571786/australian-academics-cancelled-in-germany-over-gaza/?fbclid=IwAR1FeCxKh8Wwx-oEl6KA3gWkUYHRr7\\_yQgSYG1lk199qFNC243MVZFkSq\\_aM\\_aem\\_AR-dJyrYDUIX8cF9\\_lfl\\_jP8tWgMx9P7GWZLKOLmafAnY8SH4L13QN2OiMtOL-kQF3Klorwt3UwcvxvOEESTZb0MMpy](https://www.canberratimes.com.au/story/8571786/australian-academics-cancelled-in-germany-over-gaza/?fbclid=IwAR1FeCxKh8Wwx-oEl6KA3gWkUYHRr7_yQgSYG1lk199qFNC243MVZFkSq_aM_aem_AR-dJyrYDUIX8cF9_lfl_jP8tWgMx9P7GWZLKOLmafAnY8SH4L13QN2OiMtOL-kQF3Klorwt3UwcvxvOEESTZb0MMpy)

<sup>28</sup> In the same period, two members of the *ruangrupa* collective were censured by *documenta* because they "liked a video showing people chanting 'viva Palestine' and 'Palestine will be free' under the headline 'Berlin up for Palestine' on the same day is intolerable and unacceptable" <https://www.documenta.de/de/press#press/3266-pressemitteilung-documenta-geschftsfhrer-andreas-hoffmann-zu-social-media-likes-von-ruangrupa-mitgliedern-zu-pro-palstinensischer-demonstration-in-berlin-am-vergangenen-samstag>.

<sup>29</sup> <https://www.wsws.org/en/articles/2023/11/03/yzaq-n03.html>

In March 2024, the Israeli social scientist Moshe Zuckerman, the son of a Holocaust survivor, was prevented from participating in a conference in Heilbronn, organized by the local *Friedenrat*.<sup>30</sup> After the local *Deutsch-Israelische Gesellschaft* (DIG) had attacked the initiative the Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism (Dr. Felix Klein) stated in writing that “Moshe Zuckermann is indeed highly controversial due to his positions on Israel. Specifically, for example, he was invited to speak at an event organized by BDS in 2022. He also holds the view that Israel is fundamentally apartheid towards non-Jews. This is a position that, according to the definition of antisemitism endorsed by the German government and the International Holocaust Remembrance Alliance, should be considered anti-Semitic”.<sup>31</sup> As Zuckermann commented, “What does the German government, including its ‘anti-Semitism commissioner’, understand about anti-Semitism? But then the verdict hangs in the air: The German ruling institution has deemed the Jew Moshe Zuckermann to be an anti-Semite” (*ibid.*).

In April 2024, during another moral panic campaign, another Jewish person, the philosopher Nancy Fraser, saw her contract for the Albertus Magnus Professorship unilaterally rescinded by the University of Cologne. The statement signed by the university rector reads as follows: “it is with great regret that the Albertus Magnus Professorship 2024 will not be awarded. The reason for this is the public letter ‘Philosophy for Palestine’ of November 2023, signed by the philosopher Professor Nancy Fraser, who was invited to the Albertus Magnus Professorship. In this letter, Israel’s right to exist as an “ethno-supremacist state” since its foundation in 1948 is called into question. The terror attacks by Hamas on Israel of 7 October 2023 are elevated to an act of legitimate resistance. The signatories call for the academic and cultural boycott of Israeli institutions”. Following a series of protests by academics and academic institutions, who among other things contested the interpretation of the content of the public letter as tendentious, the university issued an addendum in which the focus was placed on the call for a boycott, citing the many ties with Israeli academic institutions that it considered a core component of the university’s activities: “When considering the matter, it is not about whether Ms Fraser is given a platform at the University of Cologne or not. It has more to do with the fact that the Albertus Magnus Professorship is a special honour bestowed by the entire university. Of course it is difficult to reconcile this with the call to boycott Israeli partner institutions contained in the statement ‘Philosophy for Palestine’, when we at the University of Cologne have so many ties to partner institutions in Israel”. While the decision to offer Fraser the professorship had been made in 2022 and the open letter was dated November 2023,

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<sup>30</sup> <https://www.nd-aktuell.de/artikel/1181036.solidaritaet-antisemitismusvorwurf-ist-politische-waffe-ge-worden.html>

<sup>31</sup> <https://overtone-magazin.de/top-story/in-nicht-nur-eigener-sache/>

the contract was only cancelled a few weeks before she was to give her lecture series, while the rector of the university was on a visit to Israel. Nancy Fraser responded to the withdrawal of her contract in an interview with the *Frankfurter Rundschau*, in which she highlighted the “scholasticide” that was taking place in Gaza, as part of which most university buildings had been destroyed and about one hundred university professors and nine university rectors had been killed. As she stated in the piece, “People in Germany have become accustomed to a very narrow view of what freedom of speech means and what democratic, political freedoms consist of”, while their perception of what constitutes the Jewish people “is narrowed down to the state policy of the Israeli government currently in power. Philo-Semitic McCarthyism sums it up quite well. A way of silencing people under the pretext of supposedly standing up for Jews”.<sup>32</sup>

While the attacks launched by Hamas on 7 October 2023 undoubtedly intensified the repression of pro-Palestinian voices, this pattern had already begun to emerge even before the Mbembe controversy cited above. Previous cases include the cancellation of a talk at a high school in 2017 by Sa’ed Atshan, a queer pacifist Quaker, who had been invited to speak about queer Palestinian life.<sup>33</sup> Journalists have been fired by public outlets such as the *Deutsche Welle* and WRD for alleged anti-Semitism in the form of anti-Israeli criticism (leading to a number of court cases). The German-Palestinian anthropologist Anna-Esther Younes had her invitation to speak at a conference on Islamophobia organized by the Die Linke party in 2019 withdrawn after a secret dossier prepared by a publicly financed association had accused her of having “close” links to the BDS movement.

At prominent example of this is the resignation of the Princeton University professor, Peter Schäfer, from his position as director of the Jewish Museum Berlin, which was linked to a moral panic campaign against him. Prior to his resignation the Netanyahu government had already made complaints about the successful exhibition “Welcome to Jerusalem”, declaring that the museum “is not connected to the Jewish community, and often hosts events and discussions with prominent BDS promoters” (cit. in Ullrich 2023, 223). The head of the educational section of the Museum, who is involved in efforts to foster Jewish–Muslim dialogue, had also been the target of a scandalized media campaign. This occurred following a tweet in which the press office of the museum had shared an article by the daily newspaper *Die Tageszeitung* reporting on a number of open letters criticizing the anti-BDS resolution passed by the Bundestag (see below), one of which had even been signed by 240 Israeli and Jewish intellectuals. Indeed, “Despite (later) receiving support from prominent open letters by 45 Talmud scholars and 450 museum professionals, including 60 museum directors, the public uproar around the tweet in both traditional and

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<sup>32</sup> <https://www.fr.de/kultur/gesellschaft/nancy-fraser-ueber-ausladung-von-uni-koeln-dieser-vorgang-wird-der-deutschen-wissenschaft-erheblichen-schaden-zufuegen-92992311.html>

<sup>33</sup> <https://mondoweiss.net/2017/08/palestinian-professor-cancelled/>



social media led to Schäfer's resignation (in both meanings of the word)" (Ullrich 2023, 223). As Assman (2021) recalled, "Schäfer had already been sharply criticized in 2018 by Israeli Prime Minister Benjamin Netanyahu, the US Embassy and the Central Council of Jews in Germany for an exhibition on Jerusalem that included the Muslim-Palestinian perspective. The *Frankfurter Allgemeine Zeitung* (FAZ) called Schäfer's dismissal the "end point of a development that had lasted for years and had turned the Jewish Museum Berlin into a forum for Israel critics and BDS sympathizers with links to political Islam".

Another widely discussed case concerns the stigmatization of a network for the defence of freedom of expression, the GG 5.3. Weltoffenheit Initiative, founded in 2020. The name of the group refers to 'GG 5.3' (the article of the German constitution that enshrines freedom of the arts, research and higher education), and it came out publicly to criticize the BDS resolution as placing public debate in jeopardy. The group, which includes the heads of important cultural institutions (such as the Goethe Institute), museums, research institutes working on Judaism or anti-Semitism, and Jewish intellectuals such as Susan Neiman, was accused by the American Jewish Committee Berlin as being campaigners for state funding for the BDS movement and by *Die Welt* as being "democratic Anti-Semites". Moreover, the Berlin Commissioner for Antisemitism referred to "double standards"<sup>34</sup> in their assessment of Israeli politics, while the Simon Wiesenthal Centre listed it among its "antisemitism top ten" (Ullrich 2023).

What I aim to do in what follows is to address the contextual enabling conditions that I have identified in: a) the bureaucratization of the institutional policies against anti-Semitism; b) the party strategies in the political use of anti-Semitism that forms part of a "clash of civilization" rhetoric; and c) the specific mainstream media culture and public opinion makers. The development of a moral panic can be connected to number of different explanations I will refer to below—from cultural sensitivity (and even trauma and related guilt) linked to the Nazi past to the interest in selling arms to Israel. With regard to the former, German war guilt has often been claimed as a reason for the exceptional relations between German with Israel. Without entering into an analysis of the motives of the moral panic entrepreneurs, I will refer to these explanations as they emerge in the context of the cases of moral panic that I will discuss.

### **The bureaucratization of the policies against anti-Semitism**

Moral panic requires a number of enabling conditions, which include those at an institutional level. An important element in the use of the accusation of anti-Semitism as an

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<sup>34</sup> <https://www.spiegel.de/kultur/samuel-salzborn-zur-initiative-gg-5-3-weltoffenheit-es-werden-keine-freiheiten-eingeschraenkt-a-b0dd8772-7222-4e53-9e10-8a61f80e0040>

instrument of repression of progressive scholars and artists is the institutionalization of a specific conception of anti-Semitism. Masha Gessen (2023) reconstructed this process of bureaucratization as follows: “In the late nineteen-nineties and early two-thousands, when many of these memorials were conceived and installed, I visited Berlin often. It was exhilarating to watch memory culture take shape. Here was a country, or at least a city, that was doing what most cultures cannot: looking at its own crimes, its own worst self. But, at some point, the effort began to feel static, glassed in, as though it were an effort not only to remember history but also to ensure that only this particular history is remembered—and only in this way”.

Indeed, the cases of moral panic that I have analysed are embedded in an institutional environment characterized by the *bureaucratization of the policies against anti-Semitism*. The main steps I have identified in this process are: a) the adoption of a highly contested definition of anti-Semitism, which includes criticism of the state of Israel; b) the definition of the non-violent boycott of Israeli products by the BDS movement as anti-Semitism; and c) the creation of a bureaucratic body devoted to the fight against anti-Semitism that is separate from the already existing one that targeted anti-Semitism alongside racism and discrimination more generally.

### **The inclusion of criticism of Israel under the definition of anti-Semitism**

Moral panics work through a redefinition of existing categories that are intended to support the stigmatization of folk devils. In the cases of moral panic analysed here, one of the main charges mobilized against the intellectuals involved has been “Israeli-connected anti-Semitism”. A major pillar in the German approach to the fight against the so-called “new anti-Semitism” in particular is the adoption of the definition proposed in 2016 by the International Holocaust Remembrance Alliance (IHRA).<sup>35</sup> The IHRA was founded in 1998 by representatives of 31 States that first met in Stockholm in January 2000 for an international forum aimed at reflecting on the preservation of a transnational memory of the Holocaust. In addition to deliberating on the introduction of 27 January as a mandatory day of remembrance and the declaration of the Holocaust as a breach of civilization in Europe and in the history of the humanity, for some time the alliance was primarily focused on the promotion of education and research surrounding the Holocaust. However, the impact of the IHRA changed with the adoption, in May 2016, of a legally non-binding working definition of anti-Semitism which stated that “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals

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<sup>35</sup> <https://holocaustremembrance.com/resources/working-definition-antisemitism>

and/or their property, toward Jewish community institutions and religious facilities”. Perhaps most notably, in a departure from the prevailing scholarly and legal definition that defined anti-Semitism in relation to the Jewish people, the document introduced references towards Israel, in stating that: “Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic”. This core definition was accompanied by examples, which included “Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor”; “Drawing comparisons of contemporary Israeli policy to that of the Nazis”; or “Holding Jews collectively responsible for actions of the state of Israel”.

From the moment of its publication, the IHRA definition has been highly contested in terms of both its form and its content. The first, more general part of the definition has been called “bewilderingly imprecise” and “also bewilderingly selective” (Klug 2023, 198). In addition, the examples given have been criticized for their lack of clarity on the conditions under which criticism of Israel are considered anti-Semitic or not, thus arbitrarily stretching its use to constrain criticism of Israeli policies. Furthermore, there has been criticism of the overall tendency to consider not only Holocaust-denialism as anti-Semitic but also any mention of Holocaust-related concepts as similar to other historical events—all the more so if Israel was considered to be the perpetrator.

The IHRA definition was adopted in educational and legal training in Germany, as well as training “for police officers engaged in preventing crimes with an antisemitic background to better recognize and classify them” (Assman 2021, 404). In November 2019, shortly after the attack on a synagogue in Halle, the German Rectors’ Conference adopted the IHRA definition of anti-Semitism as a binding guideline at German universities. What was more, the definition that was adopted included the provision that “manifestations of antisemitism can also be directed against the State of Israel, which is thereby understood as a Jewish collective”, in doing so dropping the limitation clause that stated that “However, criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic”. As Aleida Assmann (2021, 405) has remarked, “With this small change of adding and cutting, the focus of the Working Definition of Anti-Semitism has shifted and has become an instrument of political intervention and repression”. As she went on to note (*ibid.*), the adoption of this definition implied that “the potential threat is now being sought more meticulously among left-wing and liberal intellectuals. The result has been that the Israeli government is protected from criticism, while at the same time attention has been distracted from the increasingly radical right-wing and racist activities in this country”.

In 2020, a group of 220 scholars working on the Holocaust and anti-Semitism challenged the IHRA definition by signing the Jerusalem Declaration, which in an attempt to

distinguish anti-Semitism from criticism of Israel, defines it as “discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish)”<sup>36</sup> As they noted, “because the IHRA Definition is unclear in key respects and widely open to different interpretations, it has caused confusion and generated controversy, hence weakening the fight against antisemitism” (ibid.). In order to reduce the risk of instrumental use of the term, the Jerusalem Declaration specified the criticisms of the state of Israel that must not be conflated with anti-Semitism, listing among them:

Supporting the Palestinian demand for justice and the full grant of their political, national, civil and human rights, as encapsulated in international law; Criticizing or opposing Zionism as a form of nationalism, or arguing for a variety of constitutional arrangements for Jews and Palestinians in the area between the Jordan River and the Mediterranean. It is not antisemitic to support arrangements that accord full equality to all inhabitants “between the river and the sea,” whether in two states, a binational state, unitary democratic state, federal state, or in whatever form; Evidence-based criticism of Israel as a state. This includes its institutions and founding principles. It also includes its policies and practices, domestic and abroad, such as the conduct of Israel in the West Bank and Gaza, the role Israel plays in the region, or any other way in which, as a state, it influences events in the world. It is not antisemitic to point out systematic racial discrimination (ibid.).

In particular, the Jerusalem Definition excluded the comparison of Israel with other historical cases from being automatically considered as anti-Semitic, including settler-colonialism or apartheid. It also claimed that boycott, divestment and sanctions were non-violent forms of political protest. As it stated, “criticism that some may see as excessive or contentious, or as reflecting a ‘double standard,’ is not, in and of itself, anti-Semitic” (ibid.).

Notwithstanding the involvement of scholars from many prestigious institutions, however, the Jerusalem Definition failed to receive any serious consideration at the institutional level, where the Israeli-linked definition of antisemitism has been instrumentally promoted by pressure groups and party leaders (Zuckermann 2010). Indeed, the conflict over the definition has become embedded within the radicalization of a nationalist struggle, with growing claims by Israel to an exclusive right over Palestinian soil (Lintl and Ullrich 2024, 90). Commenting on the implementation of the IHRA definition of anti-Semitism by the German administration as a violation of constitutional rights, a group of lawyers has noted that the implementation of the IHRA working definition as a regulatory instrument is problematic as it is far too imprecise to create legal certainty. Therefore, its use will create constitutional distortions, impinging on higher-ranking laws such as the Basic Law and the European Convention on Human Rights, thus affecting the right to

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<sup>36</sup> <https://jerusalemdeclaration.org/>.

freedom of expression, freedom of teaching and artistic freedom.<sup>37</sup> As Peter Ullrich (2019) has observed in his expert opinion, “Applying the ‘Working Definition’ creates the fiction of an objective assessment guided by neutral criteria. The definition provides procedural legitimacy for decisions that are in fact taken on the basis of other criteria that remain implicit and are specified neither in the core definition nor in the examples. The weakness of the ‘Working Definition’ are the gateway to its political instrumentalization, for instance for morally discrediting opposing position in the Arab-Israeli conflict with the accusation of antisemitism. This has relevant implications for fundamental rights”.

The IHRA definition has been frequently invoked in the repression of pro-Palestinian protests in the name of a violation of a legally non-binding definition that has acquired an ambivalent legal status. Especially influential on the administrative dissolution of pro-Palestinian events and protests by German students and faculty members has been the Aktionsplan gegen Antisemitismus und Israelfeindlichkeit issued by the Kultusministerkonferenz on December 7 2023 that calls for the building of special bodies against anti-Semitism and “Israel-hate”, and “the intensification of cooperation with Israel”<sup>38</sup>.

### **The establishment of the Commissioner/s for the struggle against anti-Semitism**

Moral panics are facilitated when moral entrepreneurs enjoy institutional resources and recognition. The cases of moral panic that I have examined here have seen the involvement of specific bureaucratic bodies tasked with the fight against anti-Semitism as moral panic entrepreneurs. While the IHRA definition has been adopted by 25 EU Member States as well as the United States, it is specifically in Germany that public resources have been invested in the creation of a bureaucratic body that is devoted to the fight against anti-Semitism in a way that detaches it from the fight against racism and discrimination more widely. In 2018, a resolution was passed by the German government that pointed to the growing level anti-Semitism fuelled by events in the Middle East, and called for the appointment of a Commissioner on Antisemitism to coordinate activities across the various different national ministries and federal states. The resolution also mentioned the legal strengthening of the ability to expel foreigners on the basis of accusations of anti-Semitism. The federal parliament subsequently approved the establishment of the office of Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism, which is based in the Federal Ministry of the Interior and Community. The

<sup>37</sup> <https://verfassungsblog.de/die-implementation-der-ihra-arbeitsdefinition-antisemitismus-ins-deutsche-recht-eine-rechtliche-beurteilung/>

<sup>38</sup> [https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2023/2023\\_12\\_07-Aktionsplan-gegen\\_Antisemitismus-und-Israelfeindlichkeit.pdf](https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2023/2023_12_07-Aktionsplan-gegen_Antisemitismus-und-Israelfeindlichkeit.pdf)

Commissioner was assigned the task of coordinating “the relevant measures taken by all the federal ministries. He will also serve as contact person for Jewish groups and organizations, and as a liaison for federal, state and civil society measures to combat anti-Semitism. The Commissioner will also coordinate a standing joint federal and state commission made up of representatives of the responsible bodies and will provide public information as well as civic and cultural education to increase public awareness of current and past forms of antisemitism”.<sup>39</sup>

Given the lack of clarity regarding the limits of the competences of this new body *vis-à-vis* those that already exist to fight against racism and other forms of discrimination, as well the police and the judiciary, this decision triggered the creation of what Masha Gessen (2023) has defined as “a vast bureaucracy that includes commissioners at the state and local level, some of whom work out of prosecutors’ offices or police precincts... They have no single job description or legal framework for their work, but much of it appears to consist of publicly shaming those they see as antisemitic, often for ‘de-singularizing the Holocaust’ or for criticizing Israel. Hardly any of these commissioners are Jewish. Indeed, the proportion of Jews among their targets is certainly higher”.

In general, criticisms of the development have addressed the unclear criteria used in the selection of commissioners, and their tendency to expand the scope of their autonomous action, as well as the more general critique that they have produced a multiplication of semi-legal regulations. To give just one example; following the 7 October Hamas attacks, the Federal Government Commissioner for Jewish Life in Germany and the Fight against Antisemitism issued a warning in relation to “antisemitic and anti-Israel hate” connected to the use of the slogan “From the river to the sea, Palestine shall be free”, which he considered to “deny Israel’s right to exist”. As a consequence of this, the slogan “is now legally banned in Germany and subject to criminal prosecution for “incitement to hatred,” though one presumes that those invoking the Likud charter would not receive similar prosecution” (Gordon and James 2023).<sup>40</sup>

### **The (semi) criminalization of the BDS movement**

Moral panics are facilitated by the presence of blurred borders between accepted and illegalized behaviour; it is by defining legal behaviour as immoral that the moral panic entrepreneurs construct the institutional conditions for the punishment of their folk devils.

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<sup>39</sup> <https://www.bmi.bund.de/EN/ministry/commissioners/antisemitism/antisemitism-node.html>

<sup>40</sup> The 1977 election manifesto of the Likud (which is the original party platform), stated: “Between the sea and the Jordan there will be only Israeli sovereignty”

In many of the cases of moral panic analysed here the main accusation related to the signing of petitions or other initiatives in support of organizations that were part of the non-violent organization *Boycott, Disinvestment and Sanctions (BDS)*. An additional pillar in the use of non-legally binding procedures is related to a joint motion passed by the Bundestag (the federal parliament) which recommended that state funding be withheld from events and institutions connected to the BDS movement, which is defined as an anti-Semitic organization. Founded in 2005, the BDS movement is an umbrella organization formed by 170 organizations from Palestinian civil society that call for non-violent political resistance against the occupation of the Palestinian territories by Israel. As the BDS movement is a very loosely structured network, there is “a considerable diversity of practices within the movement in terms of how its goals are interpreted, how they are formulated in public, and, in particular, what exactly the boycott campaign encompasses” (Ullrich 2023, 218). If we look specifically at Germany, the network is supported by around 30 groups, which mainly originate in the Palestine solidarity and Palestinian community milieus, left-wing groupings, as well as Jewish activists, including Israeli Jews (notably Jewish Voices for a Just Peace) (ibid.). Attacked by the Commissioner against Antisemitism in Berlin as “antisemitic in its intent” and advocating for “the extermination of Israel” (ibid.), its appeal for a boycott is inspired by the international campaign against the apartheid regime in South Africa and it has been stigmatized as resonant with the Nazi-sponsored boycott of Jewish shops in the 1930s.

In the abovementioned session of the Federal Parliament, held on 17 May 2019, the issue was tabled by the far-right Alternative für Deutschland (AfD), who had stated in its rejected motion that the BDS movement “has its origins in anti-Semitic and anti-Zionist initiatives by Arab groups that were already active long before the founding of the state of Israel and that were in close and friendly contact with the National Socialist government of Germany between 1933 and 1945”.<sup>41</sup> The approved motion, which was supported by CDU/CSU, SPD, FDP and large sections of Alliance 90/The Greens, argued that since the call for boycott “leads to the branding of Israeli citizens of the Jewish faith as a whole” it was therefore deemed “unacceptable”. The press release of the German Federal Parliament reported that “The Bundestag thus resolutely opposes any form of anti-Semitism as soon as it emerges and condemns the BDS campaign and the call for a boycott. Furthermore, no organization that questions Israel's right to exist should receive financial support. Projects that call for a boycott or support the BDS movement should not receive financial support”<sup>42</sup>.

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<sup>41</sup> <https://www.bundestag.de/dokumente/textarchiv/2019/kw20-de-bds-642892>

<sup>42</sup> <https://www.bundestag.de/dokumente/textarchiv/2019/kw20-de-bds-642892>.

As it is not legally binding, the declaration that the BDS movement was anti-Semitic did not go through the constitutional court. While administrative courts have often endorsed complaints against the withdrawal of public resources for events in which BDS supporters have participated, it has been used to delegitimize and discipline individuals and groups, including many Jewish individuals (who are prominently represented within the organization). While some members of the BDS movement have indeed made anti-Semitic statements, Israeli historian Moshe Zimmermann has noted that considering the organization as antisemitic is a “technique of silencing” critics in the interest of the Israeli government.<sup>43</sup> In Masha Gassen’s assessment, “one could argue that associating a nonviolent boycott movement, whose supporters have explicitly positioned it as an alternative to armed struggle, with the Holocaust is the very definition of Holocaust relativism. But, according to the logic of German memory policy, because B.D.S. is directed against Jews—although many of the movement’s supporters are also Jewish—it is anti-Semitic”. Indeed, the adoption of the declaration has penalized many individuals and groups that are part of broader networks to which the BDS movement also belongs. As Aleida Assmann (2021, 403) has observed, “Many peace groups and cultural organizations reject the BDS, but if they are committed to a peaceful future for one or two states and three religions in the Middle East, they can hardly avoid cooperating with groups that belong to the BDS”.

As with the BDS declaration, the *Nationale Strategie gegen Antisemitismus und fuer Juedisches Leben* (NASAS), which was approved by the German Government in 2022, establishes that “Anti-Semitism must also be ostracized, if it is expressed in acts that are not punishable as criminal”.<sup>44</sup> In search of a juridical basis for the criminalization of the boycott against Israeli products, the document stated that “A collective exclusion of Israeli citizens from the supply of goods and services that are available to the public may constitute unlawful indirect discrimination according to §§ 1, 19 AGG and possibly a violation of regulations of air traffic law (Sections 20a No. 2, 21 para. 2 sentence 3 LuftVG); a boycott of goods and services from Israel under the respective factual conditions may violate regulations of foreign trade law (Section 7 AWW)”. Without any further specification, the document confirmed that “Financial support for organisations that question Israel’s right to exist is excluded, as is the funding of projects that call for a boycott of Israel or actively support the BDS (Boycott, Divestment and Sanctions) movement”. Interestingly, the government also explicitly pointed to its cooperation with Israel in the repression of critical voices, stating that “The German government is also in close contact with Israel on possible initiatives specifically directed against the state of Israel in the

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<sup>43</sup> Jannis Hagmann, “Nicht jeder Boykott ist antisemitisch,” taz, January 10, 2019

<sup>44</sup> <https://www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/heimat-integration/nasas.html;jsessionid=97A5F73507045CEDED08DDFBD508C0623.live892>



United Nations and its sub organisations”. The concept of *wehrhafte Demokratie*, namely a democracy that has the right to defend itself, is also cited: “All forms of anti-Semitic discrimination and the spread of hatred towards Jews must be dealt with consistently. A defensive democracy must not provide any means or spaces for this” (ibid).

In summary, both the criminalization of the BDS movement and the adoption of the IHRA definition of anti-Semitism, as well as a number of the activities of the Commissioner for Jewish Life in Germany and the Fight against Antisemitism, form part of a trend towards juridification, which can be seen as a tendency to extend legal regulation to more and more aspects of life. As Peter Ullrich (2023) noted, this happens through sub-judicial measures or “quasi-laws” that are adopted when a legal outlawing of certain groups or behaviours would clash with the constitutionally protected freedom of expression or freedom of assembly. Not by chance, local courts have occasionally imposed limits on the ability of local authorities to apply such bans on public spaces, citing freedom of opinion to explain their decision.

### **The political and cultural opportunities for moral panic entrepreneurs**

The bureaucratized apparatus for the struggle against a blurred definition of anti-Semitism is a result of political choices that include: a) political opportunities in the convergence of the party system on the defence of Israeli security as a *raison d’État*; and b) cultural opportunities in the separation of anti-Semitism from other forms of racism and the adoption of a “clash of civilizations” narrative by mainstream parties. As part of the latter there is also a declaration of the security of Israel as being a historical responsibility for Germany, given its role in the Holocaust, but also a denial of responsibility for the Nakba and for its colonialist crimes against humanity.

### **The convergence of the parties on the security of Israel as *raison d’État***

Moral panics are given consequentiality by party actors that channel the acts of demonization into representative institutions. Relations between Germany and Israel have been evolving ever since WWII, and are characterized by the belated recognition of the state of Israel, a step that the Federal Republic of Germany (FRG) only took in 1965. Prior to this date, given the post-war division of Germany, there was a fear in the FRG that Arab countries would distance themselves from West Germany and instead recognize the German Democratic Republic (GDR), which effectively delayed any political normalization of their relationship with Israel, notwithstanding their ongoing economic and even military support for the new state (Marwecki 2020). In 1952, the Luxemburg Agreement between Israel and the FRG included support for the resettling of uprooted and destitute

Jewish refugees in Israel and compensation for individual Jews for the losses they had incurred as a result of their persecution by the Nazi regime, however, it did not go as far as to normalize diplomatic relations. In fact, the claim for the recognition of Israel emerged on the Left, and formed part of the wider call to recognize Nazi war crimes (Fischer 2023). The uneasy attempt to balance economic interests in their relations with Arab countries with the military support that the FRG was providing to the Israeli government mutated into a particular relationship with Israel that was linked to taking responsibility for the Shoah, which was something on which the entire party system converged.

Indeed, one of the major pillars in the development of the fight against “new anti-Semitism” is the statement that Germany has a permanent responsibility for the security of the state of Israel. This was the focus of a talk given by the German Chancellor Angela Merkel in front of the Israeli Knesset on the 60th anniversary of the foundation of Israel on 18 March 2008:

Germany and Israel are and will remain - forever - linked in a special way by the memory of the Shoah. ... The mass murder of six million Jews perpetrated in Germany's name brought indescribable suffering to the Jewish people, to Europe and to the world. The Shoah fills us Germans with shame. I bow to the victims, I bow to the survivors and to all those who helped them to survive. The Shoah's breach of civilisation is unprecedented. It has left wounds to this day.<sup>45</sup>

Aside from pointing to the vision of the Holocaust as a unique event and as a breach in the history of civilization, Merkel also stressed the commitment to protect “Israel and the Jewish people”: “This historical responsibility of Germany is part of my country's reason of state. This means that Israel's security is for me never negotiable for me as German Chancellor”.

The notion of a “special relationship” with Israel put forward by Chancellor Merkel was quickly adopted by the other main parties. As Leandros Fischer (2019, 26) documented, “the prism of Germany's responsibility to Israel as the legal and moral representative of Jews victimized by the Nazi regime”, which hampers critique of Israel, “is not the exclusive purview of the conservative Right; it has also been adopted by center-left segments of the political spectrum”. As he goes on to outline,

Among the SPD, on the other hand, talk of the need for evenhandedness, which was especially loud during the years of Germany's political opening to the Arab world, is today but a distant memory. The Green Party made occasional pro-Palestinian utterances during the long process of “institutionalization” it underwent in the 1980s, but it has since adopted a left-Zionist “peace” perspective, essentially supporting Israel as a “Jewish and democratic state” while paying lip service to the idea of a two-state solution. Even the

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<sup>45</sup> <https://www.bundesregierung.de/resource/blob/975954/767428/8e827acb576c34d76d22c902df7145a5/26-1-bk-data.pdf?download=1>

relatively new Left Party (Die Linke), founded in 2007 by the merger of the successor to the GDR's former ruling party with an SPD splinter group and segments of the radical Left, has in effect endorsed the consensus on Israel: in 2011, it enforced a ban of any discussion of the Boycott, Divestment and Sanctions (BDS) movement or talk of a one-state solution within its parliamentary caucus (ibid.).

Paradoxically, while both the electoral strengthening of the AfD in 2017 and far-right, anti-Semitic activities were cited as triggers for the constriction of institutional discourse and the introduction of practices to fight against anti-Semitism, the AfD has also aligned themselves to the pro-Israeli mainstream position. In doing so they are following a path already charted by other far-right parties in Europe and welcomed by the right-wing Israeli government, as part of which they have joined in the critique of anti-Semitism framed within a “clash of civilizations” discourse in which Muslims/Arabs/migrants are seen as the real enemy (Kahmann 2017; Selent and Kortmann 2023). Even though elements of anti-Semitism that continue to persist have been singled out in the European Far Right, as early as the late 2010s the European Freedom Alliance expressed support for Israel and instead focused its opposition on the supposed contamination of the cultural heritage of the nation by Islam (Shroufi 2015). Indeed, right-wing populist parties in Western and Northern European had begun to use “civilizationist” narratives characterised by a “philo-Semitic stance” (Brubaker 2017). In a widespread turn, “The general xenophobic campaigns of the 1980s have given way to Islamophobia as a specific expression of racism.... This development appears unsurprising, as Islamophobia has somehow become a kind of ‘accepted racism’, found not only on the margins of European societies but also at the centre” (Hafez 2014). While the AfD initially did not followed this trend, it has subsequently developed in the same direction. Thus, in 2018, the Parliamentary group of the AfD in the Federal Parliament hosted former Israeli minister Rafi Eitan, who called on Germany “to close the border to the mass migration of Muslims in Europe” (cit. in Mendel 2023, 60). As the AfD leader Beatrix von Storch stated in Parliament on 30 January 2020, “Islamist terror and Islamism are the enemies of Germany, Israel and Europe. The influence of the Islam-lobby in the EU must be stopped” (ibid., 63). Moreover, Susan Neiman (20023b) recalls how in 2020 “Netanyahu’s oldest son, Yair, appeared as the poster boy for an AfD advertisement calling the European Union an ‘evil, globalist’ organization and hoping that ‘Europe will return to be free, democratic, and Christian.’ To further refute suspicions of neo-Nazism, the AfD began trying to recruit Jews in Germany, including me, with tales of murderous Muslims”.

The abovementioned special link related to historical responsibility for the Holocaust (and, indirectly, for the foundation of Israel) are also embedded in and fuelled by political, economic, military, and cultural exchanges. Thus, an article produced by the Ministry for external affairs states:

Germany has a unique relationship with Israel. This stems from Germany's responsibility for the Shoah, the systematic genocide of six million European Jews under National Socialism. ... The unique nature of German-Israeli relations is a cornerstone of German foreign policy. Germany is an advocate of the State of Israel's right to exist. ... Germany is Israel's most important economic partner in the EU, with bilateral trade worth 8.94 billion US dollars (2022). Products made in Germany enjoy an excellent reputation, while German firms are well positioned to bid on Israeli infrastructure projects. Germany's cultural relations and education policy focuses on, among other things, cultural, media and civil society exchange. .... Relations in the areas of science and research are particularly intensive and include long-standing partnerships, for example with the Max Planck Society for the Advancement of Science (MPG). The German Academic Exchange Service (DAAD) awards grants that enable many Israelis to study and conduct research in Germany. The Federal Foreign Office supports the preservation of cultural heritage sites, such as the renovation of the Dormitio Benedictine Abbey in Jerusalem. A key pillar of the culture of remembrance is the Yad Vashem Holocaust Memorial, with which the Federal Foreign Office cooperates closely.<sup>46</sup>

Generally speaking, Germany has acted in support of Israel within the EU and the United Nations, where although it formally adheres to the idea of a two-state solution, it has often opposed the development of an autonomous European intervention in the Middle-East conflict and the recognition of a Palestinian state.

The Hamas massacres brought about further steps in the support expressed by German political parties for Israel and the definition of those critical of its war in Gaza as 'folk devils'. Political support for Israel could be seen to rise after 7 October 2023. In the parliamentary debate on 9 November, which marked the eighty-fifth anniversary of *Kristallnacht*, the Minister for Internal Affairs stated that "Our democracy knows how to defend itself. In the last week, a ban on the activities of Hamas and the Samidoun support network came into force ... My warning to all those who sympathise with them: This democracy, our democracy, does not tolerate any hatred of Jews. I can promise you this: We are already working on further bans". During the subsequent debate a CDU-CSU MP, who was applauded by their own party as well as by MPs from the SPD and the Greens, accused "Islamists" of promoting "the Caliphate in Germany", stating that "Anyone who wants to be granted asylum here and even become a German citizen must reject any form of anti-Semitism and recognise Israel's right to exist". Elsewhere, an MP from the Green party stated that "this day must also be a turning point for Germany. The consensus of the democratic parties in this country, namely that the security of Israel and the Jews is the *raison d'être* of the German state must finally be put into practice consistently and quickly".<sup>47</sup>

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<sup>46</sup> <https://www.auswaertiges-amt.de/en/aussenpolitik/laenderinformationen/israel-node/israel/228212>

<sup>47</sup> <https://dserver.bundestag.de/btp/20/20134.pdf>

Perhaps not surprisingly, the commitment to defend Israeli security was regularly cited by the representatives of the German government. Visiting Israel ten days after the Hamas attacks, Chancellor Olaf Scholz declared: “This is a visit to friends in difficult times. The security of Israel and its citizens is a matter of *Staatsräson*”.<sup>48</sup> At the EU Summit at the end of October 2023, he stated that “Israel is a democratic state guided by very humanitarian principles and so we can be certain that the Israeli army will respect the rules that arise from international law in everything it does... I have no doubt about that”.<sup>49</sup> In the same vein, in January 2023 the German government stated that Germany would intervene on the side of Israel as a third party in the main hearing on the charge of genocide brought against it at the International Court of Justice as “The Federal Government sees itself as particularly committed to the Convention against Genocide. This convention is a central instrument of international law to implement ‘never again’. We firmly oppose political instrumentalisation”. The statement added that the accusation of genocide against Israel had no basis whatsoever.<sup>50</sup>

There is no doubt that the doctrine of German responsibility for the Holocaust has long been intertwined with policies in terms of military support. The narrative of guilt has been used to legitimize strong economic relations, including in terms of military support. Moreover, Germany has become a major provider of military equipment to Israel, accounting for almost one third of its military supply (the other two-thirds coming from the US), including the “the delivery of the Dolphin-class submarines, believed to be fitted with nuclear warheads in Israel” (Fischer 2019, 31). It has been noted that “Israel’s military makes extensive use of “dual-use” technology from Germany, like tank engines, navigation aids, infrared sensors, and other vital electronic components during their periodic assaults on the Gaza Strip. Arms manufacturers from both countries are currently engaged in the joint development of new weapons systems” (ibid.).

Germany has thus become the second largest supplier of arms to Israel is the second largest supplier of arms to Israel, after the US. These arms sales have been challenged in a legal action brought against the Federal Ministry for Economic Affairs and Climate Action, led by the Green Party member Robert Habeck. According to the statement made by one of the lead litigants, the European Center for Constitutional and Human Rights (ECCHR), “It is reasonable to believe that the German government is in violation of the arms trade treaty, the Geneva conventions and its obligations under the genocide convention – agreements that have been ratified by Germany”.<sup>51</sup> A further case related to the sale

<sup>48</sup> <https://www.tagesschau.de/ausland/asien/scholz-israel-besuch-100.html>

<sup>49</sup> <https://www.euractiv.com/section/politics/news/scholz-has-no-doubt-israel-will-abide-by-humanitarian-law/>

<sup>50</sup> <https://www.middleeasteye.net/live-blog/live-blog-update/germany-intervene-support-israel-genocide-case>

<sup>51</sup> <https://www.theguardian.com/world/2024/apr/12/germany-lawsuit-arms-sales-israel-gaza>

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of arms to Israel was brought to the International Court of Justice by Nicaragua, which claimed that the supply of arms by Germany to Israel is in defiance of the Geneva Conventions. The German government stated before the court that it had received assurances from Israeli that it had taken the necessary precautions and that it currently had no reason to doubt this.<sup>52</sup> According to the Stockholm International Peace Research Institute (SIPRI), “in 2023 Germany was the second largest supplier of ‘major conventional arms’ to Israel, responsible for 47% of Israel’s total imports, following the US at 53%. This percentage includes the delivery of two Sa’ar 6-class missile corvettes, as well as missiles and engines for tanks and other armoured vehicles. This figure does not appear to be an outlier: since 2003, Germany has been consistently ranking second – and sometimes first – at the share of total imports of major conventional weapons by Israel. Over the period between 2019-2023, Germany’s share of major conventional arms imported by Israel was 30%, second after the US at 69%”.<sup>53</sup> According to the same source, between 2019 and 2023, Germany granted export licences to Israel for over €1.1 billion worth of military equipment – almost half of which is related to export licences for war weapons. After 7 October, the number of these licenses increased sharply, amounting to a total value of approximately €326.5 million, which represents a tenfold increase from 2022, when the total value of approved licences amounted to €32.3 million (ibid.). Moreover, “As of February 2024, despite the ICJ’s ruling on provisional measures that demanded Israel to take actions to prevent the genocide of the Palestinian people, and despite the evident worsening of the humanitarian situation in Gaza due to Israel’s relentless military assault, the German government has continued to authorise export licences for military equipment and war weapons to Israel” (ibid.). As Amnesty International reported in 2023, “The government introduced ‘general licences’ for the export of certain military equipment and dual-use goods. These replaced the making of decisions on a case-by-case basis, further reducing transparency and potentially facilitating irresponsible exports. Despite mounting evidence of war crimes by the Israeli army in the occupied Gaza Strip, Germany continued to grant licences for the export of military equipment to Israel. Germany also licensed arms transfers posing a high risk to human rights and international humanitarian law to Saudi Arabia and the UAE”.<sup>54</sup>

The potential complicity of Germany in the possible genocide in Gaza has, in fact, been highlighted, especially after the preliminary ruling issued by the ICJ:

Since the International Court of Justice (ICJ) ruling on January 26, 2024, it is official that Germany, the perpetrator of the largest genocide ever deliberately executed, is one of

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<sup>52</sup> <https://www.theguardian.com/world/2024/apr/12/germany-lawsuit-arms-sales-israel-gaza>

<sup>53</sup> <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>

<sup>54</sup> <https://www.amnesty.org/en/documents/pol10/7200/2024/en/>.

the primary supporters of what the principal judicial organ of the United Nation has described as plausibly amounting to genocide. German support for Israel's onslaught on Gaza stretches from an intervention in front of the ICJ; a 10-fold increase of German military exports to Israel, including tank ammunition; an unparalleled crackdown on pro-Palestine protests due to 'possible antisemitism';[ the decision to not approve new funding for the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) in Gaza in light of unsubstantiated Israeli claims that employees had aided Hamas; and the assurance of unconditional support for Israel by effectively the entire German political elite – as expressed in the unanimous parliamentary approval of a motion that assures Israel of Germany's 'full solidarity and any support needed'. It is hard to overestimate the scale of human suffering that Germany's unconditional backing of Israel has enabled and caused, and continues to do.<sup>55</sup>

### **Cultural opportunities: the separation of racism and anti-Semitism**

In order to be effective, at least among certain specific groups, moral panic campaigns need to connect to widespread narratives. Political opportunities are embedded in a specific institutional culture that provide resonance to the institutional positions outlined above. While responsibility for the Holocaust is cited as at the basis for political support for Israel, the discourse surrounding the past has changed over time. The unification of Germany in 1989 has particularly been seen as a turning point in this process, given the need to reconstruct a national political identity under quite specific new circumstances.

While the construction of an official memory of the Holocaust was generally presented as a success in the attempt to come to terms with a stigmatized identity (Moses 2007) and a search for "normalization" (Olick 2003), the limits of this process were noted quite early on. As Dirk Moses (2009) wrote when discussing the "culture of contrition" that seemed firmly embedded in German society, "Since (re)unification in 1990, historians and political scientists have begun attempting to explain this unexpectedly happy end to Germany's otherwise dismal twentieth century. Yet there are good reasons to regard the narrative in which Germany was redeemed by the memory of murdered Jews with some suspicion".

The guilt of Nazi Germany is spread across the 200,000 perpetrators directly involved in the genocide and other war crimes, the army who protected them, and more broadly by those who expressed consensus with Nazism (Trentmann 2023). The victims of the Nazi regime included 6 million Jews, as well as 8 million non-Jewish Russians, Poles and Serbians, 3 million prisoners of war, 500,000 Roma and Sinti, about 250,000 people with

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<sup>55</sup> <https://pomeps.org/supporting-plausible-acts-of-genocide-red-lines-and-the-failure-of-german-middle-eastern-studies>

disabilities, and hundreds of thousands of political opponents, gay people, or religious minorities (ibid.). As Trentmann has stated, “The way out of the darkness was long and difficult, winding through a thicket of moral challenges”, involving many claims of personal innocence, ignorance or even victimization. While attempts at dealing with the past started quite early on, critical remembrance only began to consolidate in the 1970s and 1980s. However, it was in the 2000s that a more simplistic narrative of “a nation of sinners turned into saints” began to emerge, with the presentation of Germany as a moral leader in dealing with its dark past (ibid.). At the same time, while this memory culture crystallized into an official version, “Germans prided themselves on having learnt from history, but it was becoming less clear what that lesson was” (ibid.).

A turning point in the search for a collective self-definition of the ethnic German is linked to the reunification of the country in 1990. While the economic boom had already allowed for pride as an economically successful nation to spread, and reunification stressed the narrative of “we are one people”, morality and responsibility became central tropes in the definition of the collective self, which tended to exclude a growing number of fellow citizens (Trentmann 2023).

Not only did reunification bring about a pressing need for the creation of a national identity, it also created the opportunity for the highly symbolic return of Jewish people to Germany, linked to a wave of immigration from Eastern Europe. In the words of Hannah Tzuberi (2020), “Jews have become a desired other. After the fall of the Berlin wall in 1989, the narrative of a ‘flourishing of Jewish life in Germany’ has played a pivotal role in the making of post-unification ‘New Germany.’ In a state eager to prove its new self – modern, liberal, democratic – the physical presence of Jews mattered, for a ‘flourishing of Jewish life in Germany’ would be the strongest proof that Germany had overcome its past”. Thus, the institutional narrative on the Jewish community in the present was “quite literally the embrace of an imagined Jewish element in German cultural and spiritual life, an embrace predicated upon Jews’ essential belonging within Germanness” (ibid.). While this hope was frustrated by the fact that the Jewish migrants arriving from the Soviet Union were very different from the Jewish citizens that had lived in Germany prior to the Nazi regime and continued to consider themselves as Jews in Germany rather than German Jews, a narrative began to take hold surrounding the absolute imperative to protect them from the supposedly hostile Arab community in Germany (ibid.).

A further discursive shift is connected with the wave of migration—including during the so-called “long Summer of migration” in 2016 when 890,000 refugees entered the country. Faced with increasing ethnic, religious and national diversification, the codified German memory of the Holocaust supported by the mainstream German parties appeared increasingly more selective and exclusive. While the fight against anti-Semitism as part



of the very pressing domestic danger of the racist Far Right had been promoted in a bottom-up fashion by progressive civil society organizations, the mainstream parties converged in forging a narrative that located the enemy on the outside, identifying it with the Islamist barbarian. In this vision, the focus on the Shoah as the most significant crime against humanity came to be used to silence claims for the recognition of the crimes against humanity that were brought about by colonialism on a global level. As Michael Rothberg (2020) noted, intervening in the controversy about the cancellation of Mbembe's invitation to the Ruhr-Triennale, the disjunction between the Holocaust and colonial crimes, including the Nakba, tended to absolve Western civilization from complicity in the latter:

From the perspective of postcolonial critique and a globalized memory culture, the Mbembe affair shines an illuminating light on *Historikerstreit 1.0* and the limits of the progressive position articulated in the 1980s. Habermas's explicit aim in publicly condemning Nolte and other conservatives was to protect what he called 'the greatest intellectual achievement of our postwar period': 'the unconditional opening of the Federal Republic to the political culture of the West.' For Habermas, this meant embracing 'constitutional patriotism' and affirming 'binding universalist constitutional principles.' ..., [but] the defense of the Holocaust's uniqueness and policing of the boundaries of what is awkwardly called "Israel critique" help displace responsibility for other German atrocities such as the genocide of the Herero and Nama and participation in colonialism more broadly and distract from German entanglement in the dispossession of Palestinians (ibid).

However, placing a greater focus on colonial crimes, without denying the unique nature of the Nazi plans for extermination, has resulted in a call for a broader view of crimes against humanity, including many that the institutionally codified memory of the Holocaust tends to sideline. In particular, it raises the question of how memories differ as a result of different historical experiences, since "It makes perfect sense that the Holocaust is remembered as the ultimate evil among European thinkers, because it was easily the worst crime that happened in living memory in Europe. It makes just as much sense that it is not remembered thus in all the rest of the world, which instead experienced the mass deaths and forced labour of colonialism" (Sznajder 2021).

During the Mbembe debate, the accusations of "relativizing the Holocaust" was reversed into a critique of the effect that the assessment of its "uniqueness" has in terms of denying the significance of other crimes against humanity perpetrated by Europeans outside of Europe in the name of "modernity" and "civilization":

Genocide and colonisation have always been legitimised by modernity, the superiority of the colonisers over the colonised. From this point of view, what is special about the Holocaust is only that the genocide has returned to Europe; the singularisa-

tion of the Holocaust then entails prioritising European experiences over non-European ones. Defenders of Israel complain that of all countries the only modern and democratic state in the Arab world is being criticised. De-colonial critics see such arguments in the name of modernity and Israel's alleged superiority over its neighbours as elements of the very same coloniality that was invoked for the colonisation of America and Africa (Michaels 2020).

As part of the controversy, the tension between the specific vision of German responsibility for the Holocaust, sponsored by all mainstream parties, as well as its claim to universal value was highlighted by the position of the German Commissioner, Felix Klein, who stated that "Something that is wrong from a German perspective does not become right by coming from without" (ibid.). As noted, the assessment of "the special responsibility of the Germans for the Holocaust" with "a resulting specifically German view, a German narrative, a German identity and a German responsibility" tends to ignore

the particular origin of this view and turns it into a universalism. The critique then imposes this universalism on everybody, including those who do not share in the particular German experience and responsibility. But since this universalism derives from German responsibility, Germans remain in control of the debate. ... German participants in the discussion demand of others not only that they acknowledge the 'achievement' of a specifically German 'culture of remembrance', but also that they make it the foundation of their own thinking and speaking. Since we Germans are responsible for the Holocaust, we take the moral right to dictate to others what they have to say about it (Michaels 2020).

The codification of the memory of the Holocaust might therefore have the perverse effect of obscuring other crimes related with racism. Dirk Moses (2021) had already remarked that focusing attention on genocide might become problematic as "the relatively new idea and law of genocide organizes and distorts our thinking about civilian (that is, noncombatant) destruction. .... In other words, talk of genocide functions ideologically to detract attention from systematic violence against civilians perpetrated by governments, including Western ones". Susan Neiman (2019) concurred that "The focus on Auschwitz distorts our moral vision: like extremely nearsighted people, we can only recognize large, bold objects, while everything else remains vague and dim. Or, to put the matter in psychoanalytic terms, the focus on Auschwitz is a form of displacement for what we don't want to know about our own national crimes".

While recognizing the specific characteristics of different historical contexts, activists and scholars have also started to draw attention to the connections between colonial crimes and the Holocaust, something that particularly challenges the idea of Nazism as a

breach in the long history of civilizing and civilized modernity. In comparing the institutional response to anti-Semitism in Germany to the response to racism in the United States, Neiman stresses the actual links between Nazism and other racist regimes:

In the 1920s, Nazis looked to the American eugenics movement to support their own bumbling race science. Hitler took American westward expansion, with its destruction of Native peoples, as the template for the eastward expansion he said was needed to provide Germans with *Lebensraum*—room to live. Nazi jurists studied American race laws extensively, particularly concerning citizenship rights, immigration, and miscegenation, before drawing the notorious Nuremberg Laws. Chillingly, those jurists found American racial policies too harsh to apply in Germany, and replaced the infamous “one drop of blood” model by which American law determined race with more lenient criteria, allowing Germans possessing but one Jewish grandparent to count, shakily, as citizens. On the other hand, they appreciated the ways in which American legal realism demonstrated that it was perfectly possible to have racist legislation even if it was technically infeasible to come up with a scientific definition of race. The best of those jurists dug up the worst quotes of Lincoln and Jefferson in support of racist policy. None of this suggests that American racism was the cause of German racism. Racism is a universal phenomenon that takes many forms. The fact that the United States had the world’s best developed racist legislation, which the Nazis eagerly studied in the 1930s while formulating their own, is disturbing enough without causal connections (*ibid.*).

Progressive social movements started to underline the immense crimes against humanity caused by colonialism, framing Nazism not as an interruption in the development of modernity, but rather locating it along a continuum of other racist regimes. Once again, Susan Neiman (2019) has observed that the civil rights movement made efforts to compare racism against the Jewish people with racism against people of colour. Thus, she recalls that “After the 1963 Birmingham church bombing, James Baldwin said that white Americans share collective guilt for the persecution of black Americans as Germans did for their silence during the Nazi persecution of Jews. Our history isn’t bloodier than others, he continued, but it is bloody”.

In Germany, the construction of an official memory of the genocide against the Jewish people also met with tension when faced with the slowly emerging acknowledgment of German involvement in genocide committed against the Herero and the Nama peoples during the colonial period. Historians also began to draw connections between the forms of state violence that were experimented with in the German colonies and subsequently implemented in Germany itself in the violence perpetrated against the Jews, Roma, gay people and political opponents. As such, it has been noted that the institutional frame embedded within the new definition of anti-Semitism “enforces a sharp distinction between racism and anti-Semitism. Thus, the same political instruments, which are intended to protect the Jewish population, introduce a tension and polarization into the German

immigration society that stands in the way of the possibility of a shared and equal existence in a pluralistic, democratic society” (Assmann 2021, 410).

The official memory has been also criticized as a result of the fact that it tends to exclude migrants and racialized others. In the face of increasing levels of migration, the recognition of collective guilt risks becoming exclusive. As observed by Trentmann (2023, XXIX), “Citizenship was opened up in 2000, but national identity far less so in part because the collective memory of Nazi crimes meant it was ethnic Germans who were remembering the sins of *their* fathers”. Elsewhere, in the context of decolonization, Michael Rothberg (2009) has noted that the Holocaust memory has become connected to other histories of victimization in the global South and beyond. Criticizing what he argues are zero-sum conceptions of memory, his concept of “multidirectional memory” suggests that memories actually feed off of each other in a productive dynamic so that “the rise of a global Holocaust memory has led to more memory of other traumatic histories, not less”.<sup>56</sup> However, this requires a recognition of malleability and openness to negotiation that cannot developed within a narrative suggesting that “in order to take responsibility for the Holocaust an ethnic notion of Germanness has to be preserved, even though this very notion of Germanness contributed to the committing of that crime in the first place”. Indeed, in this manner “Migrants are then put in the ‘double bind’ as people identified as racialized immigrants that at the same time are told that in order to be German they have to ‘remember’ the Holocaust, but also that they can never correctly remember the Holocaust as it is not part of their history” (Rothberg and Yildiz 2011). If the uniqueness of the Holocaust is claimed to support the assumption of the uniqueness of Germany, this “renders the Holocaust an exclusively German reference” (Anonymous 2021).

This process has resulted in the claim of German moral superiority in relation to the codification of memory culture, as the narrative of the “Germans as perpetrators” is transformed into a celebration of ethnic Germans. As has been critically noted by scholars of the Project on Middle East Political Science, POMEPS, a collaborative network aimed at enhancing the Middle East’s political science field, “While the monstrosity of the Holocaust is clearly irreconcilable with this, the open acknowledgment of said monstrosity and the almost exclusive centring of Germany’s institutionalised culture of remembrance around it has bizarrely been turned into just another sign of Germany’s moral superiority”. In order to implement this sort of self-celebration, a set of rules have been implemented, with the effect being that “the continuous upholding of images of German redemption, civilisation and moral authority, irrespective of German support for what could plausibly amount to genocide. Since the October 7 Hamas attacks, these red lines have solidified at

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<sup>56</sup> <https://europeanmemories.net/magazine/multidirectional-memory-in-focus/>

lightning speed, and are increasingly reminiscent of authoritarian contexts”.<sup>57</sup> The censorship of the use of well-established academic concepts, such as genocide, the Nakba, settler colonialism or apartheid, as well as the stigmatization of attempts at contextualization and the de-facto criminalization of any calls for the right of Palestinians to resist the Israeli occupation or return to their land are embedded in this moralizing narrative.

More generally, placing the Shoah at the centre of the conception of racism serves to create a specific image of civilized Europe in contrast to the barbarian other, as represented by the migrant population and non-white citizens. As Younes (2020, 258) has noted, “On the one hand, through the acknowledgment of the Holocaust, Germany self-identifies as having overcome the troubles of race; on the other hand, although there has been a considerable increase in (white-on-brown/black) racism, especially right after reunification in 1991, it is today non-white Germans or the newly arrived refugees that, according to public discourse and not according to statistical facts, are the biggest danger for the resurgence of racism (anti-Semitism)”.

It must be said that this vision of guilt has been contested and defined as a means of guilt-washing. In a statement issued by the Students for Palestine at the Free University in Berlin

At the heart of this vicious persecution is the nationwide guiltwashing – or the cover-up of authoritarian state policies through the pretense of addressing Germany’s historical guilt for the Holocaust. The message of the guiltwashers is clear: Germany alone is exceptional in its stance against anti-Semitism. Germany alone is fit to judge anti-Semitism. Germany, in opposing the exceptionalism of the Nazi era, is today exceptional once again but, of *course*, in a different and supposedly progressive way.... Indeed, guiltwashing is leaning in the direction of anti-Semitism – as well as anti-Arab racism and Islamophobia – because it operates on a superficial level and does not genuinely internalise the lessons of the past. It seeks to transpose anti-Semitism onto the Arab and Muslim communities to deny and cover up the persistence of German anti-Semitism in the social and political arena. Guiltwashing does not allow Germans to take a principled stance against state terrorism, genocide and the systematic violation of human rights – something that should be the historical responsibility of any state, but especially so for the German state. Instead, Germany has adopted a robotic, mindless, unidimensional reactive position. “Never again” is promoted in the narrowest sense – which is not altogether surprising considering the lack of education within Germany about its colonial past and other victim communities of the Nazi regime. It refuses to accept that never again should mean never again for genocide against any people.<sup>58</sup>

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<sup>57</sup> <https://pomeps.org/supporting-plausible-acts-of-genocide-red-lines-and-the-failure-of-german-middle-eastern-studies>

<sup>58</sup> <https://www.aljazeera.com/opinions/2024/2/27/german-guiltwashing-in-times-of-genocide>

In particular, the exclusive focus on the Holocaust as the German crime and support of Israel as means of making amends has obscured the condition of Palestinians. Returning to the Mbembe case, the observation has emerged that “On Palestine, German voices were silent, laying bare the German refusal to acknowledge the horrors of Israeli settler colonialism. The subjects and structures of humanitarian crisis, torture, imprisonment, dispossession and genocide were rendered invisible. .... This German insensibility to this treatment of Palestinians at Jewish-Israeli hands serves to uphold a kind of German moral supremacy” (Anonymous 2021). Frequent cases in which Palestinian and pro-Palestinian voices are silenced have been denounced as connected with what is considered to be a sort of German redemptive proxy-colonialism, as “Palestinians now stand in for Nazis because they are seen as ontologically opposed to Zionism –which Germans, like Zionists, equate with all Jews– and thus need to be vanquished like Nazis” (ibid.).

Therefore, the Palestinians—or Arabs and Muslims more generally—emerge as the folk devils in this narrative, with the official remembrance culture considering calls for solidarity with Palestinians as a threat to the Jewish people. At the same time, the official narrative assigns the codification of the definition of Jewishness to German institutions, which identifies it with Israel, while Jewish commentators who criticize Zionism are stigmatized as antisemitic (see also Younes 2022). On this point, Susan Neiman (2023b) has remarked that it is not by chance that “The most astonishing feature of this philosemitic fury is the way it has been used to attack Jews in Germany, including some descendants of Holocaust survivors .... In the name of atoning for the crimes of their parents and grandparents, non-Jewish Germans publicly accuse Jewish writers, artists, and activists of antisemitism. This makes tenuous sense given that the main thing decades of historical reckoning have taught the Germans about Jews is: *they were our victims*”.<sup>59</sup> As an activist noted, “The Germans tightly control the shape of Jewishness and Palestinian-ness within their borders... Germany's stifling embrace of the Jewish community within its borders, with or without the participation of Jews, secures the German self-image as moral arbiter, while shifting the country's blame to Arabs and Muslims,”<sup>60</sup> Indeed, a letter bearing over 180 signatures from academics based in or teaching in Germany, published on 28 October 2023, criticised the conflation of the Jewish people with the state of Israel, which they argue is aimed at erasing “many voices in the Jewish community”.<sup>61</sup> The *Jewish Currents* stated in fact that “Germany now sees its post-Holocaust mandate as encompassing not a broader commitment against racism and violence but a specific fealty to a certain Jewish

<sup>59</sup> [https://www.theguardian.com/commentisfree/2024/feb/11/denouncing-critics-of-israel-as-un-jews-or-antisemites-is-a-perversion-of-history?fbclid=IwAR08weFzqpCPAU28YstKuCcGZ6ADtt-KMdYe9e8\\_lhcqRrFp86cBjpFI3kdE](https://www.theguardian.com/commentisfree/2024/feb/11/denouncing-critics-of-israel-as-un-jews-or-antisemites-is-a-perversion-of-history?fbclid=IwAR08weFzqpCPAU28YstKuCcGZ6ADtt-KMdYe9e8_lhcqRrFp86cBjpFI3kdE)

<sup>60</sup> <https://amroali.com/aspire/wp-content/uploads/2024/01/PalDeJan2024.pdf>

<sup>61</sup> Among the groups that were denied permission for demonstrations were Youth Against Racism and the Jewish Berliners Against Middle Eastern Violence (Gordon and James 2023).

political formation: the State of Israel.”<sup>62</sup> As several Jewish intellectuals noted, in a growing anti-migration climate, the definition of the Jews by German institutions is oriented towards the protection of only one specific, Israeli bounded, understanding of Judaism, while the critical Jews are labelled as anti-Semite.<sup>63</sup>

In summary, the narrative of a nation of “perpetrators” that is now so clearly discernible is only a recent development. German-Israeli relations have morphed over time, and are characterized more by the belated normalization of affairs than by constant blind support. The discourse surrounding German guilt is emerging more emphatically now, at the very point when the demographic conditions for its resonance has waned. In fact, on the one hand, as of 2022, more than 20 million people in Germany had either moved to the country themselves or were born to two parents who moved there, while 23.8 million people living in private households were either themselves not German citizens since birth, or had at least one non-German parent, meaning that 28.7% of the population has a migrant background.<sup>64</sup> Among this section of society, many people of colour were more likely to see themselves as the descendants of the many people from the British and French colonies or Black US citizens that were drafted into the armies that fought Nazi Germany (Wiedemann 2022), as opposed to sharing the guilt for Nazi crimes. Moreover, given the age profile of German society, the vast majority of the German population have little to no links with the perpetrators of these crimes. Whatever the reasons may be for this phenomenon, it can be said that the narrative of a “nation of perpetrators” has tended to spread more widely among the German elite than the general public.

### **Society and the media as moral panic entrepreneurs**

A third set of facilitating contextual conditions for the moral panic relates to the cultures and structures of civil society and the mass media, including: a) non-governmental organizations that are dependent on selectively distributed public funds, and consequently tentatively depoliticized and tamed; and b) a media culture characterized by a tendency to rally around the mainstream interests/values of the country, in a media system characterized by labour precarity and a concentration of ownership.

### **Societal compliance with moral panics**

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<sup>62</sup> <https://jewishcurrents.org/bad-memory-2>

<sup>63</sup> <https://granta.com/once-again-germany-defines-who-is-a-jew-part-ii/>

<sup>64</sup> <https://www.bamf.de/SharedDocs/Anlagen/DE/Forschung/Migrationsberichte/migrationsbericht-2022.html>

Moral panic campaigns are made resonant by the embeddedness of moral panic entrepreneurs within various associations and pressure groups. Although the moral panic campaigns analysed here were not very successful in affecting public opinion, they did succeed in spreading the narrative of “new anti-Semitism” in a number of specific social environments. Cultural and academic institutions particularly contributed to the implementation of various forms of repression of freedom of expression, in doing so fuelling pre-existing anti-Muslim racism (Atshan and Galor 2020). The ELSC recorded 139 instances of cultural stifling between 9 October and 20 November 2023, including 38 cases in which access to venues was withdrawn or events were cancelled, 35 cases of smear campaigns, and 8 cases in which threats to defund initiatives were made in relation to expressions of support for Palestine (in Ragab 2024). According to the same source, academic freedom was compromised in 17 cases, by “limiting the ability of scholars, researchers, and academic faculty to freely share research, information, and ideas related to Palestine and Israel”. Additionally, in 15 cases, individuals or groups were subjected to formal complaints related with anti-Semitism due to expressions of support for Palestinian rights through social media posts, speeches at protests, podcasts, publications, or talks, while there were 26 cases in which individuals had their jobs suspended or terminated for the same reasons. The Alliance Against Islamophobia and Anti-Muslim Hate (CLAIM) has [observed](#) a rise in Islamophobic incidents in the country, with 187 documented cases of violence, verbal assaults, threats, and discrimination against Muslims between 9 October and 29 November 2023.

The “new anti-Semitism” discourse can be seen to have found very little resistance in the more institutional parts of civil society. Generally speaking, relations with Israel at the civil society level have always been, and remain, strong: “The German-Israeli parliamentary friendship group is the Bundestag’s second largest, while German trade unions, as well as church and cultural associations, maintain extensive links with their Israeli counterparts. ... Foundations affiliated with different parties in the Bundestag retain offices in Jerusalem, Tel Aviv, and Ramallah; and exercise a considerable amount of soft power” (Fischer 2019, 31). While there has been a long tradition of providing public financial support to intra-ethnic cooperation in the Middle East, from the late 2010s onwards in particular, state funding, which is managed in accordance with the mainstream definition of anti-Semitism, has forced compliance among civil society organizations. What is more, as Masha Gassen (2023) has noted, the BDS parliamentary resolution has had especially far-reaching effects, given the “German state’s customary generosity: almost all museums, exhibits, conferences, festivals, and other cultural events receive funding from the federal, state, or local government”. Following the adoption of the BDS resolution, government agencies began to investigate the credentials of artists invited to funded events by searching for their name on Google alongside the terms “B.D.S.”, “Israel”, and “apart-



heid”, while “Cultural institutions have felt pressure to curtail events that could be interpreted as sympathetic to the Palestinian cause”. In December 2023, the Berlin Senate Cultural Administration decided that the awarding of funding would be conditional on applicants signing an “anti-Semitism clause”, however, this plan was dropped a month later under pressure from artists as well as a result of doubts surrounding the legal basis for such a decision (Ragab 2024).

Selective incentives aimed at promoting the fight against “new anti-Semitism”, which target both the Left and migrants, have pushed civil society groups to converge “with a government policy around race and the figure of the Muslim which were discursively already present, but until the end of the 1990s and beginning of 2000s not yet fully institutionalized as a fight against anti-Semitism amongst Muslims” (Younus 2020). Programs related to this “new anti-Semitism” have involved civil society organizations and projects for young people from Muslim backgrounds have replaced those that previously existed for white Germans. The financing of educational programs on “new anti-Semitism” has contributed to spread anti-Muslim sentiment among civil society organizations. As Younes (2020) has observed, “The educational material and NGO work that came about due to the newly allocated funds for civil society initiatives against anti-Semitism developed from 2003/4 onward, when the money started being handed out for the allocated civil society programs. The Intifada—along with terrorism and Islamism—was indicated in official and NGO documents as the paramount event leading to a “new anti-Semitism” in Europe—primarily amongst its attendant Muslim population”.

Even more striking is the fact that pro-Israeli narratives have even been adopted by the German branches of international human rights organizations. For instance, in 2022 Amnesty International released a 280 page report titled “Israel’s Apartheid against Palestinians. Cruel System of Domination and Crime against Humanity”.<sup>65</sup> While the document notes the differences between the Palestinian and the South African cases, it also states that “massive seizures of Palestinian land and property, unlawful killings, forcible transfer, drastic movement restrictions, and the denial of nationality and citizenship to Palestinians are all components of a system which amounts to apartheid under international law”. Uniquely among the national branches of Amnesty International, the German body took the decision to remove this statement from its websites, stating that “To counteract the danger of instrumentalization or misinterpretation of the report, the German section

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<sup>65</sup> <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>. The report (y p. 13f., 44ff. 47f.) assesses the applicability of the three international treaties that prohibit and/or explicitly criminalize apartheid (International Convention on the Elimination of all forms of Racial Discrimination (ratified by Israel in 1979); Apartheid Convention (1973, Israel is not a party); Rome Statute of 1998 that defines apartheid as a crime against humanity in art. 7(1)(j), Israel signed in 2000 but withdrew its signature in 2002) (<https://www.amnesty.org/en/documents/mde15/5141/2022/en/>). [↓](#)

of Amnesty will not plan or carry out any activities in relation to this report”.<sup>66</sup> As Susan Neiman has noted (2023b), notwithstanding its broad use as a legal definition, “In Berlin the word ‘apartheid’ can get you cancelled faster than the N-word will get you canceled in New York”.

Elsewhere, academic institutions and individual intellectuals have regularly supported the mainstream narrative of German exceptionalism. Following the Hamas attacks, the Israeli flag was officially flown on a number of university campuses, while solidarity with Israel was emphasized in various official statements by academic and research institutions that have since rarely voiced criticism of the Israeli war in Gaza. Indeed, a climate of mistrust and control has been said to have reduced the potential for critical thinking and constructive dialogue in German universities to the extent that “Academics speaking in support of Palestinians, analysing Israeli war crimes, or merely historicising the current escalation of violence are disinvited and de-platformed at an alarming rate. The number of researchers willing to expose themselves by contributing with their expertise to public debate has dwindled. .... This danger of being misinterpreted applies even more when academics are Muslim or have an Arab family background” (Grimm 2024).

In an article criticizing a letter written by Juergen Habermas, among others, Asef Bayat (2023) pointed to the chilling effects caused by the identification of the Jewish people with the state of Israel, something that he argues is particularly prevalent in German universities, stating that “I fear that this twisted moral compass is related to the logic of German exceptionalism that you champion. Because exceptionalism, by definition, allows for not one universal standard but differential standards. Some people become more worthy humans, others less worthy and still others unworthy”.

### **Pro-Israeli lobbying**

Pressure groups can be effective moral panic entrepreneurs, all the more so when they enjoy significant economic and political resources. In the cases analysed as part of this research, the repression of criticism of Israel is often called for by the Israeli government itself, either through interventions made by the Prime Minister or the Israeli Ambassador, as well as by pressure groups and media actors. Thus, the first victim of the parliamentary decision on the B.D.S. movement was the Judaic Studies scholar Peter Schäfer, who was forced to resign as director of the Jewish Museum of Berlin after he was accused of supporting B.D.S., an accusation he has rejected. Even before this, however, “The office of Benjamin Netanyahu had also asked Merkel to cut the museum’s funding because, in the

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<sup>66</sup> See <https://www.972mag.com/amnesty-germany-apartheid-report/>; <https://www.theleftberlin.com/open-letter-to-amnesty-international-germany/>; <https://www.972mag.com/amnesty-germany-apartheid-report/>

Israeli Prime Minister's opinion, its exhibition on Jerusalem paid too much attention to the city's Muslims".

An important role in the spread of the "new anti-Semitism" narrative has been also played by the Central Council of Jews in Germany, a body founded in 1950 that has close ties with Israel. In 2003, Chancellor Gerhard Schröder formalized relations between the state and the Council, establishing state support for the German Jewish community (which reached €22 million in state funding in 2023, an increase of almost 70 per cent over the previous year).<sup>67</sup> Notwithstanding internal tensions between conservative and progressive positions, as well as organizational splits, the Central Council of Jews in Germany has been considered to be the representative body of the Jewish community in the country. From 2015 onwards in particular "political interpellations to sharpen asylum law around an alleged anti-Semitism of refugees were openly discussed by a variety of well rooted and mainstream politicians, journalists and civil society actors such as the Central Council of Jews in Germany as well as civil society educational institutions" (Younes 2020).

It is especially noticeable that the Council was given discretionary power to "develop the criteria and modalities of inclusion into the circle of benefitters independently" (Tzuberi 2020). The effect of the recognition by the German state of only a part of the Jewish community in Germany has been condemned by critical Jews as a form of institutional anti-Semitism. As the Jewish writer Deborah Feldman outlined,

I have also discovered that a transactional relationship defines the public representation of Jews in Germany – and it obscures the views of an unseen majority of Jewish people who don't belong to communities financially supported by the German state, and don't constantly emphasise the singular importance of unconditional loyalty to the state of Israel. Because of the enormous power the official institutions and communities wield, non-affiliated voices are often silenced or discredited, replaced by the louder ones of Germans whose Holocaust-guilt complexes cause them to fetishise Jewishness to the point of obsessive-compulsive embodiment.<sup>68</sup>

The influence of the Israeli embassy in Berlin, as well as the Central Council for Jews in Germany, has been even further strengthened by the composition of the offices of the various Commissioners for Jewish Life and the Fight Against Anti-Semitism, where there is little actual knowledge relating to Judaism and Jewish issues. As Neiman has noted,

None of the commissioners was raised as a Jew, though one converted soon after his appointment; most have little understanding of Jewish complexity or tradition. ... To compensate for their unfamiliarity, the commissioners rely on two sources for information about Jews, Israelis, and Palestinians: the Israeli embassy and the Central Council for

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<sup>67</sup> <https://www.irishtimes.com/world/europe/2024/03/18/susan-neiman-i-wanted-to-revive-jewish-intellectual-life-in-germany-but-now-i-dont-think-they-really-want-it/?s=09>

<sup>68</sup> <https://www.theguardian.com/commentisfree/2023/nov/13/germany-jewish-criticise-israel-tv-debate>

Jews in Germany, one of the more right-leaning Jewish organizations in the world (Neiman 2023b).

Organizations financed by the Commissioner for Jewish Life and the Struggle on Antisemitism have also been accused of promoting campaigns against activists and groups mobilizing in support of Palestine. For example, the German-Palestinian anthropologist Anna-Esther Younes accused one such organization, RIAS (Recherche- und Informationsstelle Antisemitismus), of having started a smear campaign against her with the intention of damaging her reputation as a scholar and have her disinvited from public events (as was the case with an event organized by the left-wing party *Die Linke*).<sup>69</sup> In May 2022, the Berlin District Court ordered the German state-funded organization that legally represents RIAS Berlin and *the Mobile Beratung gegen Rechtsextremismus in Deutschland* (MBR) to provide Younes access to the data that the two civil society organizations had gathered on her and passed on to others.<sup>70</sup> Generally, RIAS Berlin collects information on actions against what the organization considers to be “anti-Semitism”, including criticisms of Israel (the use of slogans such as “From the river to the sea, Palestine will be free”, but also the definition of Israel as an apartheid state), as well as actions that do not involve any violation of the law. As the organization states, it also “records incidents that have not been reported to the police or do not constitute criminal acts”.<sup>71</sup> Furthermore, it distributes leaflets inviting members of the public to report any such actions to the organization, which then uses them to write its reports. This results in this information, including accusations against private individuals, being collected and stored by a non-state institution.

A quite specific element in the German case is also a particular turn that has taken place among left-wing civil society organizations, something that explains the very limited presence of German groups in the global campaign for a ceasefire in Gaza. As Fischer (2023) has noted, the general criticism of the Nazi past and the slow path towards its recognition and condemnation was reflected in strong opposition to German reunification on the Far Left, which was expressed by the so-called “anti-German” groupings that “started out as an ultra-left critique of Germany as a nation, following a wave of nationalist jingoism triggered by reunification” and engaged “in an *Ersatz* nationalism around one particular state”. Elements of this tradition include a hatred of Muslims as natural-born anti-Semites, not to mention a disturbing celebration of Israeli violence against Palestinians framed as “anti-fascism”.

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<sup>69</sup> <https://www.theleftberlin.com/interview-with-dr-anna-esther-younes/>

<sup>70</sup> <https://elsc.support/news/german-court-rules-in-favour-of-scholar-dr-anna-younes-in-digital-surveillance-case>

<sup>71</sup> <https://www.report-antisemitism.de/en/rias-berlin/>

Although a small and short-lived group, the peculiar “anti-German” sect—known for flying the Israeli flag and wearing IDF shirts—played an important role in shifting the discourse in the direction of silencing pro-Palestine stances. As Fisher (2023) wrote: “those who would still describe themselves as *Antideutsche* are shrinking politically, confined to a fringe subculture that adopts left-wing aesthetics but has politically moved markedly to the right. .... Treating the *Antideutsche*, however, as a legitimate component of left pluralism for many years, has led to the mainstreaming of racist postulates within the wider Left. .... By treating them as a necessary but over-the-top corrective to an alleged antisemitism of past German anti-imperialism, the mere existence of the *Antideutsche* has slowly but steadily shifted the entire Left’s discourse on Palestine to the right”. Nowadays,

That Antideutsch ideas are still prevalent also owes to the fact that a generation of German leftists came of age under the influence of the debates on ‘left-wing antisemitism’ initiated by this current. What emerged during the long period of retreat after 1990 was a Left that mystified antisemitism as something inherently distinct from – and even worse than – racism, even if it did not share the *Antideutsche*’s increasingly racist and pro-imperialist views. Racism was in turn understood purely in biologicistic terms of one’s skin colour.... It was thus understandable that ‘antisemitism’ – as an issue separated from the wider dynamics of capitalism, imperialism, colonialism, and racism – would function as the code enabling the accommodation of so many former radicals to the status quo, while allowing them to retain progressive and even radical pretences (ibid.).

Thus, in a very peculiar turn, the moral panic over “new anti-Semitism” in Germany is fuelled by groups that

rely on both the interpretive patterns as well as the protest repertoires of the Antifa movement. These actors, not only but predominantly antideutsch or ‘pro-Israel’ leftists and ex-leftists from the Antifa and other groups, along with mainstream anti-fascist educational institutions, depict BDS as reminiscent of the Nazis. The most hardcore among them often employ an even harsher, more militant language in this regard. Their claims regarding a number of BDS events or speakers often rely on a line of argument known from Antifa leaflets, with the accused declared guilty by association. Relying on such an extremely Manichaeian interpretation of BDS, this camp deploys methods similar to the protest repertoire of antifascist movements when engaging far-right political marches. Several of the impeded events associated with BDS faced complaints and lawsuits or, most of all, counter-protests and were disturbed by loud, rude remarks or even blockades. Pro-BDS groups are pushed out of left-wing alliances (Ullrich 2023, 232).

At times, these different groups converge on common campaigns against what they define as “anti-Semitism”, especially on the Left or by pro-Palestinian groups. Therefore, in discussing the repression of the BDS movement, Peter Ullrich (2023, 224) singled out among the promoters of the moral scandal: “the German-Israeli Society and its youth organisation, the Central Council of Jews, the Israeli Embassy, NGOs such as the Amadeu Antonio Foundation and the American Jewish Committee, some Antifa groups from the

pro-Israel antideutsch current, journalists and politicians from diverse political backgrounds and the highly active Federal Commissioner for Jewish Life in Germany and the Fight against Antisemitism, Felix Klein”.

### **The militant mainstream media**

The mainstream media are among the most important moral panic entrepreneurs, as they provide resonance to the demonization of folk devils. It should be noted that certain conditions within the mass media can result in increasing the effectiveness of moral panic campaigns. These include the presence of limited pluralism, a tendency to conform to mainstream views, and a lack of resources for autonomous investigation. The mainstream media have also played a highly significant role in the reproduction of a narrative of anti-Semitism that focusses on criticism of Israel. This has especially been the case following 7 October 2023, when even expressions of solidarity with Palestine have been labelled as anti-Semitic. Indeed, the lack of independence in the German mainstream media when covering events in Israel and Palestine has been criticized as follows: “Frozen images of past shame prevent them from thinking clearly about the present,. . . The more conditions worsen in Israel/Palestine, the more ardently German media seek instances of antisemitism to condemn” (Neiman 2023b).

Research on the media has revealed a high degree of convergence, especially on critical issues, such as the war in Kosovo or the financial crisis (Kruger 2016, 65). Uwe Krueger (2016) has noted that, as early as the beginning of the Russian military operation in Ukraine, the mainstream media not only converged on a very narrow range of opinions, but also published false information (ibid, 10). Coverage of the wars in Kosovo (Eilders and Luter 2002) Serbia or in Afghanistan in the German media is shown to be characterized by a militaristic bias, which is not shared by wider public opinion. Indeed, as he has demonstrated, leading German journalists from the *Süddeutsche Zeitung*, *Die Zeit*, *FAZ* and *Bild* have been members of transatlantic think-tanks (such as the Atlantic Bridge or the Trilateral Commission, to name but two examples). Similar self-censorship in reporting on important crises has been pointed out in more recent times, with reference to the Russian war in Ukraine and the Israeli war in Gaza. At the same time, “what remains constant is the defamation of war-opponents, the lack of attention to the peace movement and the relativization of many claimed values such as human and people rights” (Schiffer 2024).

Additionally, the media are found to focus primarily on the coverage of the elites, especially the government, with little interest in the views of citizens (Adams 2008; Hachmeister and Friedmann 2002). The fact that they are embedded in transatlantic elite milieus also explains the pressure that they feel to conform, especially on issues such as the

financial crisis (converging on a tendentious coverage of the Greek left-wing government<sup>72</sup>; the scandalistic and racializing coverage of episodes of sexual harassment during New Year's Eve festivities in Cologne in 2015, which were swiftly blamed on refugees and portrayed as organized (Kruger 2016, 122ff); as well as the similarly racialized coverage of the so-called "riot night" in Stuttgart and Frankfurt-am-Main in 2020 (Kotzur 2023).

The quality of information has also been reduced by the decline in available resources due to the fall in newspaper sales. Generally speaking, the amount of time available for research is declining; this is even more so the case in relation to the time devoted to double-checking information (down to an average of just 11 minutes per day). The Internet has become the main source of information for most journalists. While the general crisis within the press has led to a reduction in the resources available for investigative journalism, thus increasing the reliance on web-based searches and official sources, the ever greater precarity in labour conditions for journalists discourages them from expressing critical opinions. At the same time as insecurity and precarity are intensifying for journalists, there is an increase in the amount of resources being invested in media output and lobbying by political parties, businesses, and various types of interest groups. More generally, the decline in resources for research has led to an increase in the reliance on official sources, which are presented as both trustworthy and neutral, while corruption has also been presented as widespread.<sup>73</sup>

The narrowing of the range of opinions presented in the media has also been connected with the increasing concentration of outlets in large media corporations. In Germany, 57 per cent of the market share in the daily press is held by the ten largest media groups, while five groups have up to 98 per cent ownership of tabloid newspapers and 63 per cent control of consumer magazines. This leads to a representation gap between public opinion and the views expressed in print media, which when combined with the trend of declining pluralism, goes hand in hand with a growing mistrust of the media in the public opinion (with up to two thirds of Germans mistrusting the press). In relation to the war in Ukraine, for example, the German media rallied behind the request for the delivery of heavy weapons to the Ukrainian government, while surveys conducted during the same period indicated that about half of the German population was against such an approach.<sup>74</sup>

<sup>72</sup> [https://www.boeckler.de/de/faust-detail.htm?sync\\_id=7534](https://www.boeckler.de/de/faust-detail.htm?sync_id=7534)  
<https://library.fes.de/pdf-files/stabsabteilung/05773.pdf>

<sup>73</sup> [https://www.transparency.de/fileadmin/Redaktion/Publikationen/2016/Korruption\\_im\\_Journalismus\\_TransparencyDeutschland\\_2016.pdf](https://www.transparency.de/fileadmin/Redaktion/Publikationen/2016/Korruption_im_Journalismus_TransparencyDeutschland_2016.pdf)

<sup>74</sup> According to the Deutschlandtrend of March 2024, 50% see Israel's military reaction as going too far

While the public has become more critical (Donbach 2009), at the same time, the mainstream defence of the press has also become more intense in reaction to the development of the catchphrase “the lying press” by the far-right AfD and Pegida parties: “This development encouraged a fatal polarisation: while right-wing circles were able to increasingly occupy the field of media criticism, many leading media outlets developed a kind of wagon-castle mentality and immunised themselves against criticism by staging themselves as defenders of the liberal order against the right-wing mob. Fundamental criticism of the functioning of the mass media was increasingly ground down between these fronts. From an emancipatory point of view, such criticism is more necessary today than ever, especially in order to counteract the development of the right”.<sup>75</sup> In *Die vierte Gewalt. How majority opinion is made, even if it isn't*, which was published in 2022 and heavily criticized by the German media, Harald Welzer and Richard David Precht noted that “Structural criticism that goes beyond individual scandals is quickly labelled as right-wing conspiracy ideologies”. As part of what they define as “cursor-journalism”, they point to an “echo-chamber of a milieu that constantly looks at what others currently say or write, anxious not to deviate from it” (2022, 12) under the motto “Always write in a manner that your opinion could be the opinion of other journalists” (2022, 153).

Another aspect that is peculiar to the German media landscape is the assumption that they have a role to educate the reader, something that can be seen in the limited effort made to separate facts from opinions. Commenting on investigative journalism on Israeli crimes in Gaza published in the foreign press, a German journalist, Daniel Bax, noted a widespread militantism among German journalists in support of the mainstream narrative; “You look in vain for such research in the leading German media. Here, people are more outraged about Greta and Masha Gessen than about the war in Gaza. This is because many journalists in Germany see themselves primarily as guardians of the *raison d'État*. They are more concerned with condemning dissenting opinions than questioning Germany's solidarity with Israel. Instead of informing their readers, they proselytise. They fail as the fourth estate. This is why many people in Germany have no idea what is happening in Gaza”.<sup>76</sup> In general, it is quite apparent that German journalistic culture tends to perceive the role of the journalist as that of an educator, with far less emphasis on the separation between information and commentary than what is found in the English-speaking tradition.

## Conclusions

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<sup>75</sup> <https://taz.de/Emanzipatorische-Medienkritik!/5993262/>

<sup>76</sup> <https://taz.de/Israels-Krieg-in-Gaza!/5981361/>



This article has dealt with the concept of moral panics, underlining the ways in which vague definitions of anti-Semitism have been used against progressive artists and academics that have criticised Israeli politics while opposing what they see as racism.

### Moral panic as a mechanism of repression

Having first outlined the conceptualization of a moral panic, I then moved on to point out how the empirically unsupported claim of rising anti-Semitism on the Left has been mobilized by the mass media and pro-Israel interest groups and subsequently taken up by politicians of all of the main parties (including the Far Right). This has led to the disciplining of individuals for supposedly anti-racist positions, despite the fact that they have a track record in fighting against racism, and in many cases have a family history as victims of the Holocaust.

The analysis of a number of these episodes has made it possible to delve into the institutional bases of moral panics. Research on moral panic had singled out some general scope conditions that exist in a risk society, where insecurity contributes to the spread of fear and resentment. It has also explored their contingent development in times of rapid and unsettling change. These general explanations could indeed help to understand the spread of a moral panic that built on a highly contested definition of anti-Semitism during a period in which multiple crises (health, economic, climate and war) interacted with each other, fuelling dissatisfaction and mistrust.

The research has shown that the concept of moral panic can indeed be useful to understand some dynamics of repression. In order to account for the specific roots and dynamics of a moral panic it needs to be connected with some institutional, social, political and cultural, trends. The moral panic develops in moments of social crisis, characterized by attempts to reaffirm some conservative visions of the social order that are perceived as challenged (Hall et al 1978).

In the analysis of the use of moral panic to repress protests, attention must be paid at the relations between social and political dynamics. The culture of remembering of the holocaust eventually turned into a search for pride in a national identity as an ethnic German one, fueled by an exclusive definition of the external borders in particular towards the growing number of citizens with migration background and non-German residents.

The use of ‘new antisemitism’ as a moral panic also confirmed the importance of political opportunities and threats. Under some political conditions, as mechanisms of democratic accountability are already challenged by a crisis of representativity (della Porta 2015), the moral panic does not need to affect the public in order to be effective. Moral

entrepreneurs can in fact achieve their aims through an impact on party politicians as well as bodies of social controls, by affecting the published, rather than the public, sphere.

Most importantly, as observed already by Stuart Hall and his colleagues (Hall et al 1978), the moral panic entrepreneurs operated through a process of labelling. In the case they analysed, the stigmatizing terms of ‘mugging’ was imported in the UK from the US, bringing already with it specific image of the culprits as young, racialized, poor, living in ghettos. Also in the case of the ‘new antisemitism’, the label encompassed since the beginning a sensational and sensationalized meaning. New labels are used to address pre-existing phenomenon in order to connect with special visions of perpetrators as external to society and threatening the very versus social order. Especially, antisemitism is stripped off of its original meaning of discrimination against the Jews as Jews and used instead as synonymous for criticism of a specific state, Israel as well as, more broadly, for the denial of the very legitimacy of historical comparison.

The development of the moral usually implies an exaggeration of the importance of specific behaviour in statistical data on specific treats. As in other studies, also in the case I analyzed the moral panic involved the spreading of a narrative of an exaggerated treat as well as the suggestion of growing permissiveness and the expectation of its repeated occurrence. While antisemitism as discrimination and conspiracy theories about the Jews as Jews continued to be widespread on the far right (suffice to think about the Far Right anti-vax propaganda during the Covid19 pandemic, della Porta 2023), the definition of a violent threat on the Left was broadly exaggerated. Its resonance was, also here, increased by the bridging of the new moral panic campaigns upon existing stereotypical criminalization of migrants and their supporters as folks devils by various bodies of social control.

In the case I have analysed, moral panic entrepreneurs often played a role sharing tasks but also collaborating in the different steps of the moral panic dynamics, from its triggering to its spreading, with the implementation performed mainly at the administrative level, without an intervention by the police or the court in sanctioning the punishments. As in the analysis developed by Cohen (1973), “The media appear in any or all of three roles in moral panic dramas: (i) Setting the agenda – selecting those deviant or socially problematic events deemed as newsworthy, then using finer filters to select which of these events are candidates for moral panic; (ii) Transmitting the images – transmitting the claims of claims-makers, by sharpening up or dumbing down the rhetoric of moral panics; or (iii) Breaking the silence, making the claim”. Additionally, the moral panic is fueled also in the case I analysed, by the construction of special administrative bodies devoted to the monitoring, investigation and punishment of specific ‘crimes’. Repressions is in fact embedded in the construction of specific institutions as special squads within the police, special courts or special branches in the administration.

This article has also outlined some additional scope conditions that help to explain the specific focus of the moral panic in question as targeted against anti-Zionist and anti-racist intellectuals who locate themselves on the Left of the political spectrum. In order to do this, I suggest that the concept of a moral panic must be bridged with other concepts.

First and foremost, the moral panic entrepreneurs operate within an institutional context that they have contributed in constructing. This is especially the case of the bureaucratization of the anti-Semitism narrative in Germany, which has built on the construction of a specific branch of the administration that is endowed with significant material resources but a vague scope of action and is itself fighting to expand both its power and its competencies. As the fight against anti-Semitism shifted from the fight against discrimination and racism, its administrative definition became embedded in decisions on legally uncertain bases, such as the adoption of the IHRA definition of anti-Semitism, which is considered as both vague and open to discriminatory use by some experts, as well as the association of the actions of the BDS movement, which promotes the non-violent boycott of Israeli goods, to anti-Semitism. These decisions paved the way for administrative practices that converged not only on the prohibition of Palestinian symbols, claims for freedom and even the expression of solidarity with the civilian victims in Gaza, but also on the withdrawal of funding for associations and individuals that were (with no due process) defined as close to the BDS movement or, even more vaguely, as Israeli-haters. As a consequence, freedom of speech, expression and protest have, in a de-facto fashion, been subordinated to a labelling process in which perfectly legal behaviours have been stigmatized on the basis of the arbitrary attribution of antisemitic motives by moral panic entrepreneurs.

A complex set of political opportunities created the environment for a convergence of all of the main party actors around what could be labelled as an external enemy. While the initial moves in the bureaucratization of the anti-Semitism narrative were undoubtedly a reaction to the growing electoral support for the far-right AfD party, all of the main parties eventually converged on a definition of the “enemy” that shifted it towards a “clash of civilizations” discourse in which the folk devils became Arabs, Muslims, or migrants more generally. This convergence can particularly be seen in relation to the definition of Israeli security as a *raison d’État* for Germany—a statement that was first made by Chancellor Merkel (CDU), but subsequently endorsed by the SPD, the Greens and the FDP leaders in government. For its part, the AfD has aligned with other European far-right parties and their special mix of traditional anti-Semitism bridged with explicit support for Israel—a trend that was based on the adoption of a “civilizationist” discourse in which the Judeo-Christian civilization was called to mobilize in a crusade against Islam. Support for the Israeli government was also justified, given the shared call among the Far Right in both Germany and Israel for the creation of ethnically pure nations through the forced expulsion of those considered to be “uncivil”, barbarian or even not fully human.

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The Hamas attacks on 7 October 2023 did not trigger these processes, however, they certainly served to strengthen their development as they resulted in a convergence of the mass media and academic and artistic institutions on the mainstream definition that equated anti-Semitism with criticism of Israel, which it considered to be representative of all Jewish people. It also led to punishment for anyone who raised fundamental criticisms against Israel's war in Gaza, even in the many cases where the individuals in question were themselves Jewish. Even in the aftermath of the ICJ assessment regarding the plausible evidence for genocidal violence against the Palestinians, the assumption remains widespread in Germany that the use of the term genocide to refer to Israeli military actions in Gaza is *per se* antisemitic. Not only is there a tendency in the mainstream media to converge on a militant defence of the elite narrative, there is also the fact that many civil society organizations depend economically on state funding, both of which have led to a narrowing of the space for critical voices. An important role in the consolidation of this narrative and of these practices is played by pro-Israeli associations and think tanks.

The reference to the concept of moral panic proved to be analytically useful in pointing out the role of moral panic entrepreneurs in the stigmatization of folk devils. In the analysed cases, reactions were extremely quick to emerge (and rather awkward), and contained strong appeals to a morality that was immediately contested as based on double standards. The accusations seemed both vague and discriminatory, and were never based on claims that any law or regulation had been violated, let alone the existence of any factual emergency. Perhaps unsurprisingly, they consequently triggered counter-reactions and discursive contention. The analysis points to some potential details regarding the assumed trajectory of moral panics. First of all, in all of these cases, the folk devils did not come from socially marginalized groups, but were instead internationally renowned artists and intellectuals that had, moreover, even been broadly acknowledged for their achievements in elites circles. While artists and intellectuals are often the target of extreme forms of repression in authoritarian regimes, in democracies they are usually afforded a certain amount of free space as they are seen as the vanguard of experimentation and innovation. The targeting of such individuals raises questions about their growing importance in moral and political terms as representatives of alternative and/or counterhegemonic references during a period in which the traditional political and social actors are increasingly less attractive or available to the public during specific crises. Secondly, the research points to the importance of analysing the consequentiality of moral panic campaigns, even when they do not achieve resonance in public opinion. In a situation in which the traditional forms of democratic accountability are weakened by a lack of representation of a large spectrum of opinions and positions within the party system, the power of strong interest groups increases.

### The cross-national and transnational dimension

The cases of moral panic I have studied also underline the importance for investigation to go beyond the national level. The most apparent reason for this is the fact that in each of these cases the targeted folk devils were all citizens of countries other than Germany. Furthermore, while the German case emerges as a most visible example in the repressive use of anti-Semitic rhetoric to target anti-racist artists and intellectuals (even Jewish ones), it is certainly not the only example. Similar moral panic campaigns have recently been seen in France, Austria, Switzerland, the UK, Canada and, perhaps most significantly, the United States. This brings us to the need, first of all, to analyse the transnational dimension of the phenomenon, or more precisely, what makes similar moral panics resonant in other countries. Secondly, it points to the question of cross-country similarities and differences among moral panic entrepreneurs as well as in the political and cultural opportunities that facilitate their activities.

Some of the conditions that expedited the development of the cases of moral panic analysed here are also present in other countries, including the mobilization of anti-Semitic accusations against non-German (and often even Jewish) anti-racist intellectuals and artists. At the discursive level, a global turn towards an identitarian form of “anti-racism” as based on claims of ethnic privilege has been highlighted. Taking the example of the conflation of Jewish identity with Israeli identity, while at the same time warning about the risks of similar developments with regard to Muslims, Tariq Modoo (2023, 243) observed that “An identity that depends on domination, inferiorising or marginalising another group shares the same features attributed to whiteness as an oppressive identity. To tie Jewish identity to a state which came to see its survival as dependent on the weakening of the struggle to maintain a Palestinian national identity is to turn a minority group identity into an oppressive identity”. As Baker (2023, 91) has noted, with regard to the instrumental move towards an ethnonationalist definition, “the broad, robust, and inherently plural (if not pluralistic) category Jews has been increasingly circumscribed and merged, in public discourse, with the grammatically definite, singular, and seemingly monolithic phrase ‘the Jewish People’”.

These discursive transformations have taken place in a context characterized by the mobilization of pro-Israeli groupings around a new definition of the relationship between Israel and the Jewish people, which is embedded in recent legal changes. In particular, the “Basic Principles” that frame the Nation-State law passed by the Knesset in 2018 defined Israel as the nation-state of the Jewish people, and attributed a right to self-determination in the state exclusively to Jewish people. Indeed, the law stated that “The Land of Israel is the historical homeland of the Jewish People, in which the State of Israel was established. The State of Israel is the nation state of the Jewish People, in which it realizes its natural, cultural, religious and historical right to self-determination. The exercise of the

right to national self-determination in the State of Israel is unique to the Jewish People”.<sup>77</sup> As Benjamin Netanyahu himself specified, “Israel is a Jewish, democratic state. This means that it is the national state of the Jewish people alone. Of course, it respects the individual rights of all its citizens—Jews and non-Jews alike, but it is the national state, not of all its citizens, but only of the Jewish people” (cit. in Baker 2023, 104). The same Basic Law also determined Israeli competences towards non Israeli Jews as, in art. 6, it affirms that “The state shall act within the Diaspora to strengthen the affinity between the state and members of the Jewish people” and “The state shall act to preserve the cultural, historical and religious heritage of the Jewish people among Jews in the Diaspora”. This unilateral assessment of representation enters into obvious tension with the position of Jewish people in the Diaspora who do not recognize themselves in the Israeli State and are increasingly targeted as “traitors” or even “anti-Semites” by Israeli institutions. In fact, “the international network of Israel supporters has been powerful to date to, on the one hand, promoting the Jewish identification with Israel amongst Jews and, on the other hand, marginalising the Palestinian cause, though neither without some contest” (Modoo 2023, 244).

It is also in this historical context that the IHRA definition of anti-Semitism has been adopted broadly with the effect of identifying Jewish people and Jewishness with the state of Israel: “Far from providing useful tools for identifying and describing anti-Jewish or antisemitic tropes or actions, in its moves to ‘normalize’ Israel’s statist ethnonationalism as a proper political/ideological expression of a particular ‘people’, the IHRA ‘definition’ contributes to the normalization of other statist ethnonationalist movements and regimes, no matter how patently racist, xenophobic, and antisemitic these—or their ‘peoples’—might be” (Baker 2023, 107).

This contentious move is, in fact, problematic for a number of reasons, but first and foremost for Jewish people that identify with a more pluralist vision of their identity than the ethnonationalist “Jewish people” proposed by Israel. As Baker (2023, 105) noted

In the phrase ‘the Jewish people’, an imagined community is established as a self-evident, essential, and encompassing given, .... The national representation of the Jewish people is in the State of Israel. Israel is the national state of the Jewish people and of it alone... In other words, Israel has now formalized and adopted for itself the racially inflected model of ethnonationalism that arguably fueled the destruction of Europe in the early twentieth century and that, as a result, has been structurally/legally anathematized (albeit not uprooted) by the European Union.

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<sup>77</sup> [https://en.wikisource.org/wiki/Full\\_text\\_of\\_Basic\\_Law:\\_Israel\\_as\\_the\\_Nation-State\\_of\\_the\\_Jewish\\_People](https://en.wikisource.org/wiki/Full_text_of_Basic_Law:_Israel_as_the_Nation-State_of_the_Jewish_People)

Another transnational trend that has affected the development of the contention surrounding the very definition of anti-Semitism is related with the promotion of the previously mentioned idea of a global “clash of civilizations”. The definition of anti-Semitism as anti-Israel criticism is used to transform the racialized migrant from a victim of racism into a scapegoat: As Esther Romeyn has pointed out, this has gone hand-in-hand with the discursive separation of anti-Semitism from other forms of racism and discrimination:

the designation of the Holocaust and anti-Semitism as the paradigmatic historical experience of racism not only salvages the ‘white mythology’ of contemporary Europe’s universalist claims to moral exemplarity, but paradoxically also ‘buries’ race. The adoption of the norm of ‘color-blindness’, instituted in the name of the anti-racist struggle for tolerance, has made race in Europe a disappearing act: the continued existence of racially-based inequalities is not merely denied, but also erased through the elimination of racial designations in social and cultural processes and analytical frameworks (in avoidance of the charge of racism) (Romeyn 2014, 80).

The international context of the war on terror, with its “clash of civilizations” discourse, is cited as fuelling allegations of anti-Semitism against non-White citizens, and grounding them in a transnational “war on anti-Semitism”. As Younes (2020, 260) has suggested, “The incitement to a ‘Muslim anti-Semitism’ discourse bears resemblance to already existing transnational war-like rhetoric such as the ‘War on Drugs’ and the ‘War on Terror. that enabled continuing imperialist politics in Central and South Americas, the Middle East, Afghanistan, and Africa, as well as against black people, Muslims, and Latinos in the United States. .... All three wars have also normalized the policing, mass-surveillance, and imprisonment of Muslims on Western soil(s) and beyond”. Thus, the war on anti-Semitism has contributed to “the transformation of the horrors of the Shoah into a universalist moral ‘uplift’ story of an ongoing fight of the human ‘spirit’ against intolerance”, consequentially fundamentally instrumentalizing the Holocaust to validate new European immigration policies aimed at “securitization and disciplinary integration” (Romeyn 2014, 79).

It is not only in Germany that the presence of these global transformations forms the basis of a trend towards the use of accusations of anti-Semitism, based on a new and contested definition, as an instrument of repression against progressive and anti-racist actors. Migrants and citizens with migration background have been particularly targeted as potential or actual folk devils. While this trend was already underway prior to October 2023, it has subsequently escalated as the Israeli war in Gaza has triggered a broad mobilization in support of a ceasefire and in solidarity with Palestine, which have been the target of repression in many countries. The repression of groups and individuals who have criticized Israel and expressed solidarity with Palestine has been a frequent phenomenon

in the Western world during the war in Gaza, as governments have rallied around Israel as symbol of Western civilization, providing strategic as well as military support. From the United States to the UK, from France to Canada and from Austria to Italy, the repression of pro-Palestinian demonstrations has added an extra element to the already escalating policing of street protests and the promotion of moral panics surrounding “anti-Semitism”.<sup>78</sup>

Far-right groups and media outlets have often played an important role as a supposed “countermovement” during these campaigns, by embracing narratives of support for Israel as part of a wider anti-Islam discourse. Pro-Israel lobbies have been among the most active groups in the promotion of a moral panic based on a definition of anti-Semitism that tends to scapegoat migrants and absolve the Far Right. They have been joined in this narrative by governments and public institutions as well as the mass media and cultural institutions, who have come together in varying forms of coalitions that have had different durations depending on the specific context.

A brief look at the moral panic campaigns that have taken place in the United States reveals both similarities and differences in the dynamics and actors involved. It can be seen that in the US case, hysteria, panic and shock were also broadly cited as the main reactions to the emergence of peaceful protests. Also in this case, the moral panic has developed around a conception of ‘new anti-Semitism’ which has been used in the past in targeting progressive forces on the bases of the spreading of exaggerated threats.<sup>79</sup> With the support of pro-Israeli lobbies, Far Right activists and party politicians, well known for their anti-Semitic positions in which the Jews were considered as a threat to the White race, have suddenly mounted campaigns against the “new anti-Semitism” and “Israel hate” of progressive activists and migrant citizens considered as the main culprits within Great Replacement conspiratorial thinking (Fassin 2024). If we look at the moral panic entrepreneurs targeting the recent protests for a ceasefire and against human rights violations in Palestine, we find one actor that also played a significant role in the German case: namely right-wing political parties. As in the German case, it is a party, whose leader, Donald Trump, has often used antisemitic narratives (suffice it to mention the QAnon conspiracy theory), that paradoxically presents itself as promoter of a highly moralizing discourse in defence of Jewish people, which they solely identify as a single, pro-Israeli category. In contrast to the SPD, The Democratic party appears to be more divided in its support for the moral panic campaign. Similarly, as in the German case, pro-Israeli pressure groups have also supported the moral panic campaigns. These actors are joined, to a

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<sup>78</sup> In the UK, Seth Anziska, chaired the working group that stigmatized the exploitation of anti-semitism to serve as a place to proliferate new exclusions: <https://sites.lsa.umich.edu/jmnrn/past-events/defining-antisemitism-and-islamophobia-lessons-from-uk-universities/>

<sup>79</sup> <https://jewishcurrents.org/anatomy-of-a-moral-panic>



more visible extent than in the German case, by a number of powerful economic actors who express their influence by the fact that they are donors to universities and political parties. What is more, far right activists, at times with experiences in anti-vax and anti-gender militantism, have violently attacked the pro-Palestine camps.<sup>80</sup> The mass media would appear to be more pluralistic, even if a pro-Israeli bias has been often noted, even from within, with regard to a number of mainstream media outlets. What is undoubtedly different in the US case is the breath of resistance to these moral panic entrepreneurs, which has manifested itself in a large scale mobilization that includes a significant presence of Jewish students, but also broad support from faculty members and a wide network of anti-racist organizations. While in Germany the pro-Palestine student protests have been targeted mainly by the mainstream media and the politicians in governments, in the US rumors and misinformation have been spread in social media about anti-Semitic acts by protestors in order to produce counter-protests,<sup>81</sup> and student activists singled out for doxing and intimidation by pro-Israeli groupings.<sup>82</sup>

In summary, as Mark Beissinger (2000) noted in relation to nationalism, the conceptualization of and practices around “anti-Semitism” is also an open field of contestation that becomes particularly acute during periods of intense politics. While the German case does undoubtedly present a number of particular aspects, some of the mechanisms singled out in the case studies presented here would also seem to be pertinent elsewhere. There is an urgent need for comparative research to analyse the extent to which similar conditions and mechanisms have been at play in other countries and time periods and the consequences they have had for democracy.

### On the potential outcomes of moral panics

Something that also requires further research is the analysis of the outcomes of this specific form of repression through the use of moral panics regarding “new anti-Semitism”. If we look at the expressed aims of the policies, the initial anecdotal evidence would seem to indicate that both street protests as well as the expression of critical voices in cultural and academic environments have been effectively silenced. As Social Movement Studies have indicated over and over again, while the narrowing of political opportunities

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<sup>80</sup> <https://www.theguardian.com/us-news/article/2024/may/10/college-campus-protests-far-right>

<sup>81</sup> <https://www.latimes.com/california/story/2024-05-10/how-social-media-rumors-sparked-a-night-of-mayhem-at-ucla>

<sup>82</sup> [https://www.reuters.com/world/name-shame-pro-israel-website-ramps-up-attacks-pro-palestinian-student-2024-05-11/?fbclid=IwZXh0bgNhZW0CMTA-AAR2nDqkyVIKr9vQWwfY5Wc7utkfMmQ2WPvzd8k1YueX9NFjM4MGxJMu9IFk\\_aem\\_Aa165OMtWR11DcNvPC5rQSuWqHhIWNJpe0SQGklCY1RjOBtFFeJxoKHJ6YImYcfrw3rnNLLUbysmxkZmY3iFR-MeN](https://www.reuters.com/world/name-shame-pro-israel-website-ramps-up-attacks-pro-palestinian-student-2024-05-11/?fbclid=IwZXh0bgNhZW0CMTA-AAR2nDqkyVIKr9vQWwfY5Wc7utkfMmQ2WPvzd8k1YueX9NFjM4MGxJMu9IFk_aem_Aa165OMtWR11DcNvPC5rQSuWqHhIWNJpe0SQGklCY1RjOBtFFeJxoKHJ6YImYcfrw3rnNLLUbysmxkZmY3iFR-MeN)

for protest results in a reduction of the amount protests, it also tends to polarize and even radicalize discouraged contention (Earl 2003; Davenport 2007). What is more, criminological research has pointed to the risk of secondary deviation, as this type of stigmatization leads to isolation. Finally, repression can backfire by leading to waves of mobilization, at both a national and an international level, which are triggered by threats but open up opportunities by changing perceptions of the costs and benefits of mobilizing, as well as fuelling eventful protest (della Porta 2020)

At a societal level, to use Albert Hirschman's (1972) language, the constraints against the expression of *voice* might push individuals towards an *exit*, in the form of distrust and alienation, but also in the form of people physically leaving the country, resulting in the most negative effects in terms of trust and cohesion. As has been noted, for instance, during the collapse of the GDR (della Porta 2017), the migration of artists and intellectuals impoverished cultural life inside the country and reduced the reputation of the country abroad. To a similar extent, the recent moral panics that have taken place in Germany have not only been followed by calls for a boycott of German academic and cultural institutions, but also by international public expressions of support for the targets of the moral panic entrepreneurs, who in turn have received negative coverage in the international press. It is perhaps not surprising, therefore, that over the last number of months criticisms of discrimination and even an authoritarian turn have been levelled at both the German government and German institutions.

The selectivity of this “anti-antisemitism” politics risks alienating two groups within the population in particular. The first of these is the large number of Muslims, Arabs or migrants *tout court* in Germany, who are scapegoated and racialized within the wider framework of the “clash of civilizations” narrative. The second group is the increasing number of Jewish people that do not identify with Israel, do not support the Central Council of Jews in Germany (which is said to represent less than half of the Jewish people living in Germany)<sup>83</sup>, and are themselves affected by what some of them have defined as institutional forms of anti-Semitism.

In their identification of the Jewish people with the state of Israel, German institutions discriminate against and even target those members of the Jewish community who do not identify with an ethno-nationalistic definition of Judaism. In Nancy Fraser's words,

it's so important that Germans understand something of the complexity and breadth of Judaism, its history, its perspective. They are sort of signing on with this idea of an unconditional pledge of allegiance to Israel, that that's the German responsibility — unqualified support for the state of Israel. Given what Israel is currently up to, this is a betrayal of what I would call the most important and weighty aspects of Judaism as a history, a

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<sup>83</sup> <https://www.antisemitismusbeauftragter.de/Webs/BAS/DE/juedisches-leben/juedisches-leben-node.html>

perspective, and a body of thought. I'm talking about the Judaism of Maimonides and of [Baruch] Spinoza, of Sigmund Freud, Heinrich Heine, and Ernst Bloch.<sup>84</sup>

More generally, the expression of philo-Semitism, implying a sort of privilege for the superiority of one ethnic group and its claims, has been especially criticized by critical members of the German Jewish community. To give just one example, this is expressed in the observation by Susan Neiman (2023a) that, following 7 October,

German denunciations of Hamas, and statements of unyielding solidarity with Israel, have become so automatic that one appeared in the cash machine of my local bank: 'We are horrified by the brutal attack on Israel. Our sympathies are with the people of Israel, the victims, their families and friends.' The notice displayed once when I tapped the screen, once again when I chose a language, a third time when I typed in my PIN, and finally when the money popped out of the slot. Whether from a machine or a politician, such statements do not make me feel safer. On the contrary, the repetition of vapid formulas increases my growing fears of backlash. Germany's reflexive defenses of Israel while refraining from criticism of its government or its occupation of Palestine can only lead to resentment.

Last but certainly not least, the repression of critical voices affects the quality of democracy in a variety of ways. First of all, the proliferation of semi-legally binding regulations and semi-accountable bodies reduces the quality of a *Rechtsstaat* in terms of accountability before the law, not only increasing discretionality but also providing more space for arbitrary decisions that affect individual rights. One example that led to a wave of critical comments in the international press and by civil society organizations is the denial of entry into Germany of the rector of the University of Glasgow. Ghassan Abu Sitta, who is also a medical doctor, was deported back to the United Kingdom as he was entering Germany at Berlin Airport to participate in a congress on Palestine. A volunteer for Doctors without Borders, who had been invited to report on his traumatic experiences in Gaza, Abu Sitta was also prohibited from being politically active in Germany, even via the Internet, without receiving any details of the specific charges against him.<sup>85</sup> The organizers of the protests against the decision to refuse Abu Sitta entry were presented as "Israeli haters" in the mainstream media, in spite of the fact that they included a number of Jewish organizations and Jewish *kippas* could be seen alongside Palestinian *keffiyeh* during the event, which was eventually brought to an end by the police due to what they claimed was "the risks of anti-Semitic statements".<sup>86</sup> In commenting on the event, the TAZ journalist Daniel Bax described what he saw as a divided *raison d'État*, referring to

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<sup>84</sup> <https://jacobin.com/2024/04/nancy-fraser-germany-palestine-letter>

<sup>85</sup> <https://www.irishnews.com/news/world/british-palestinian-surgeon-denied-entry-to-germany-for-conference-H73GFPOCIVLXDJI2XVSSOM55Y/>

<sup>86</sup> <https://taz.de/Palaestina-Kongress-in-Berlin-aufgeloest!/6004209/>

the repression of part of the Jewish population that a coherent implementation of the German responsibility doctrine should instead protect.<sup>87</sup>

No less important is the fact that the challenges to constitutional rights enshrined in the defence of fundamental rights, such as the freedom of expression, academic and artistic freedoms, also reduce the deliberative quality of democracy. As Asef Bayat (2023) noted in his response to Habermas,

As an academic, I am stunned to learn that in German universities — even within classrooms, which should be free spaces for discussion and inquiry — almost everyone remains silent when the subject of Palestine comes up. Newspapers, radio and television are almost entirely devoid of open and meaningful debate on the subject. Indeed, scores of people, including Jews who have called for a ceasefire, have been fired from positions, had their events and awards canceled and been accused of “antisemitism. These critics are not disputing the protection of Jewish life or Israel’s right to exist. They are disputing the denial of Palestinian lives and Palestine’s right to exist. How are people supposed to deliberate about what is right and what is wrong if they are not allowed to speak freely? What happens to your celebrated idea of the “public sphere,” “rational dialogue” and “deliberative democracy... That logic shuts down rational dialogue and desensitizes moral consciousness; it erects a cognitive block that prevents us from seeing the suffering of others, impeding empathy (Bayat 2023).

Indeed, the impoverishment of the intellectual debate has the immediate effect of depriving decision makers of important theoretical and empirical knowledge. As Nancy Fraser, herself a major scholar of democracy, noted in an interview with *Die Zeit* in which she commented on the unilateral withdrawal of her chair by the University of Cologne, “A much-noticed report on Berlin in the *New York Times* has just described how Germany, once so cosmopolitan, is currently becoming increasingly provincial. I share this concern. What is particularly fatal is the signal that is being sent out into the world: Anyone who deviates from the official line is not welcome in Germany and will be punished”.<sup>88</sup>

While previous research has indicated that the development of moral panics is indeed facilitated by events during critical junctures, it is exactly during these intense and troubled times that more, rather than less, democracy is needed. Recent research has shown how moral panic spread in particular as amplifying perceived threats to privileged groups by presenting them as attacks against core social values (Shafir and Shairer 2013; Leeds 2024). At a time in which the main challenge for the humanities is presented by varying forms of racism/s (including anti-Semitism) at a national level and the increase in wars at

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<sup>87</sup><https://taz.de/Abgebrochener-Palaestina-Kongress!/6004241/>

<sup>88</sup> <https://www.zeit.de/kultur/2024-04/nancy-fraser-university-of-cologne-albertus-magnus-professorship/komplettansicht>

an international level, it is imperative that high quality deliberative debates are stimulated, not hampered.

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<sup>89</sup> I have listed in bibliographical references academic works, while for other documents are gave the links to the online versions (all accessed May 2024). In case of citations from academic works, I did not indicate the page references when the texts are available online.

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### **Author’s Information;**

**Donatella della Porta** is professor of Political Science, first dean of the Faculty of Political Social Science and coordinator of the doctoral program in Political Science and Sociology at the Scuola Normale Superiore in Florence, where she directs the Center on Social Movement Studies (Cosmos). Among her main research topics are social movements, political violence, corruption, democracy, and political participation.