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To cite this article: David N. Myers (2021) The Perils of Naming: On Donald Trump, Jews, and Antisemites, The Journal of Holocaust Research, 35:2, 154-162, DOI: [10.1080/25785648.2021.1899511](https://doi.org/10.1080/25785648.2021.1899511)

To link to this article: <https://doi.org/10.1080/25785648.2021.1899511>



Published online: 04 May 2021.



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The Perils of Naming: On Donald Trump, Jews, and Antisemites

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ABSTRACT

Antisemitism, which has been called the “longest hatred,” appeared to be on a sharp decline in the United States in the early years of the new century. Over the past five years, antisemitism has surged to life, registering a 100% increase in reports of antisemitic incidents in the United States between 2016–18. That period coincides, and not by accident, with the presidency of Donald Trump, who declared himself to be a friend of Jews and a strong supporter of the state of Israel, has lapsed into stereotypical representations of Jews as beholden to money and loyal only to their own. In this way, the boundary between philosemitism and antisemitism became hard to trace. It is especially noteworthy that Trump arrogated to himself the right to define Jews, a move that calls to mind the infamous declaration of the mayor of Vienna in the late nineteenth century, Karl Lueger: “Who is a Jew—that I determine.” This paper explores the naming of Jews not only in the context of Trump’s declarations, but also policy formulations such as his Executive Order on antisemitism and the IHRA definition.

KEYWORDS

Donald Trump; antisemitism; naming

I

On 13 December 2019, former President Donald Trump issued the Executive Order Combating Anti-Semitism. The executive order did two things: first, it extended Title VI of the Civil Rights Act of 1964 to Jews based on the assumption that the fact that Jews are members of a group that ‘shares common *religious* practices’ does not preclude them from being protected under Title VI’s criteria of ‘race, color, or national origin.’ Second, it effectively called on government agencies to adopt the definitional apparatus of the International Holocaust Remembrance Alliance from 2016, the most controversial element of which is the effective equation of anti-Zionism and antisemitism.

The executive order joined a battle that has been raging for more than a decade, principally over what are, and are not, appropriate ways to talk and think about Israel. The battle has often revolved around BDS, the Boycott, Divestment and Sanctions movement, founded in 2005, which has figured in bruising conflicts on college campus. This battle has generated a huge amount of attention and money, with the State of Israel alone

dedicating \$72 million to the cause in 2017.¹ More than 30 state legislatures have enacted laws that either condemn BDS or punish companies that engage in boycotts of Israel or the occupied territories.²

Meanwhile, the pace of antisemitic expression and deed has risen dramatically in the United States. The annual audit by the Anti-Defamation League in 2019 revealed the highest number of antisemitic incidents since it began keeping data in 1979—this after a 90 percent increase from 2015 to 2017.³ The COVID-19 pandemic, which has altered so many domains of life, has proven to be a boon to antisemitism, especially of the conspiratorial variety. One version urges the spread of the disease to Israel to kill off Jews. Another, more familiar strain alleges that Jews are spreading the coronavirus to derive financial profit.⁴

But it is not promoters of BDS, critics of Israel, or self-declared anti-Zionists who are behind these conspiracies. Nor are these groups responsible for murderous assaults on Jews. That dubious responsibility lies with white nationalists, whose violent extremism constitutes the top terrorist threat to the United States according to federal law enforcement agencies.⁵ Their sense of grievance is capacious, leaping from the foundational focus on Jews to other minority groups in American society, especially African Americans.⁶ If the pandemic activated white nationalist suspicions about Jews, the wave of protest against police brutality following the murder of George Floyd exposed the virulently racist core of white nationalism. As hundreds of thousands of people took to the streets under the Blacks Lives Matter banner in the summer of 2020, white nationalists showed up to protest. For some of the latter, especially the self-identified Boogaloo Boys, the turbulent moment excited their fantasies of an impending civil war between white people and people of color.⁷

There is, to be sure, a broader historical backdrop to these racist sensibilities and apocalyptic visions. The United States, as the recent presidential election made clear, has been in the throes of deep political division, accompanied—and stoked—by a *Kulturkampf*

¹"Israel okays \$72 million anti-BDS project," *Times of Israel*, 29 December 2017, <https://www.timesofisrael.com/israel-okays-72-million-anti-bds-project/>; see also Reut Cohen and Elli Avraham, "North American Jewish NGOs and Strategies Used in Fighting BDS and the Boycott of Israeli Academia," *Israel Studies*, vol. 23, no. 2 (2018): pp. 194–216, <http://www.jstor.org/stable/10.2979/israelstudies.23.2.09>.

²See the list at <https://www.jewishvirtuallibrary.org/anti-bds-legislation>.

³See the ADL's 2019 Audit of Antisemitic Incidents at <https://www.adl.org/news/press-releases/antisemitic-incidents-hit-all-time-high-in-2019>. In 2017, there was a 57 percent increase in incidents: <https://www.adl.org/resources/reports/2017-audit-of-anti-semitic-incidents>; in 2016, there was a 34 percent rise: https://www.adl.org/sites/default/files/documents/Anti-Semitic%20Audit%20Print_vf2.pdf.

⁴See the report by the Anti-Defamation League, "Extremists Use Coronavirus to Advance Racist, Conspiratorial Agendas," 10 March 2020, <https://www.adl.org/blog/extremists-use-coronavirus-to-advance-racist-conspiratorial-agendas>, and Eric Cortellessa, "Conspiracy that Jews Created Virus Spreads on Social Media," *Times of Israel*, 14 March 2020, <https://www.timesofisrael.com/conspiracy-theory-that-jews-created-virus-spreads-on-social-media-adl-says/>.

⁵The extent to which federal agencies during the Trump administration were prepared to label the domestic threat varied, as Betsy Woodruff Swan reported in "DHS Draft Document: White Supremacists Are Greatest Terror Threat," *Politico*, 4 September 2020, <https://www.politico.com/news/2020/09/04/white-supremacists-terror-threat-dhs-409236>. See also the testimony of FBI Director Christopher Wray before the House Homeland Security Committee, 17 September 2020, <https://www.fbi.gov/news/testimony/worldwide-threats-to-the-homeland-091720>.

⁶On the irreducibly antisemitic core of white nationalism, see the now-iconic treatment of Eric K. Ward, "Skin in the Game: How Antisemitism Animates White Nationalism," 29 June 2017, <https://www.politicalresearch.org/2017/06/29/skin-in-the-game-how-antisemitism-animates-white-nationalism>.

⁷See the ADL report from 10 June 2020, "Small But Vocal Array of Right Wing Extremists Appearing at Protests," <https://www.adl.org/blog/small-but-vocal-array-of-right-wing-extremists-appearing-at-protests>. This follows an earlier report from the ADL: "White Supremacists Embrace 'Race War,'" 8 January 2020, <https://www.adl.org/blog/white-supremacists-embrace-race-war>.

that pits advocates of preservation against advocates of change. At stake are two visions of America: one wedded to reverence for a white, Christian country and the other to a multicultural and inclusive country.

Not all of the stark political divide in 2020—and surely not all of the rising tide of violent white nationalism—can be explained by these competing worldviews, but a great deal can. In parallel, not all of that divide was created by Donald Trump, but he widened and exploited it. For example, in the summer of 2020, the country was confronting the way in which its ignominious racial past should be remembered. Many cities, along with state and federal institutions were pushed to consider taking down or removing monuments or to change names associated with the institution of slavery and the Confederacy.⁸ With characteristic lack of nuance, Trump weighed in on the debate. Following Senator Elizabeth Warren’s proposed amendment in June 2020 to remove the names of Confederate figures from all US military bases, Trump vowed in a tweet to ‘Veto the Defense Authorization Bill if the Elizabeth ‘Pocahontas’ Warren (of all people!) Amendment, which will lead to the renaming (plus other bad things!) of Fort Bragg, Fort Robert E. Lee, and many other Military Bases from which we won Two World Wars.’⁹

Here we see on display one of Trump’s favored methods of stigmatization and polarization: naming people. He often uses mocking, sophomoric insults to denigrate and set apart, as he did in his tweet about Elizabeth Warren, as well as with his Republican and Democratic opponents in the 2016 and 2020 presidential campaigns (eg, Low Energy Jeb, Lyin’ Ted, Little Marco, Crooked Hillary, and Sleepy Joe). Trump revels in the control that this kind of naming bestows on him. Naming, as one observer notes, is ‘itself a form of power. The named is already bounded, confined within limits.’¹⁰ The namer uses his power to define—and often circumscribe—the realm in which the Other dwells.

But naming need not have this kind of domineering or malign intent. It can also be, as Michael Ohl notes in his study of the practice of naming scientific phenomena, about classifying in order to make sense of the world around us.¹¹ In the next section, I situate Donald Trump’s own efforts to name Jews, whom he professes to like, into a longer and unsavory modern tradition of naming (of which he is surely unaware). Following that, in section III, I explore and analyze a less overtly mocking approach to naming as reflected in the executive order on antisemitism, in which we can identify both an impulse to name Jews in order to protect them and to name a new class of prospective antisemites in order to punish them.

⁸Camila Domonske, “59 Confederate Symbols Removed Since George Floyd’s Death,” *NPR*, 12 August 2020, <https://www.npr.org/2020/08/12/901771780/report-59-confederate-symbols-removed-since-george-floyds-death>; John Burnett and Piper McDaniel, “Confederate Statues Come Down Around U.S., But Not Everywhere,” *NPR*, 6 October 2020, <https://www.npr.org/2020/10/06/919193176/confederate-statues-come-down-around-u-s-but-not-everywhere>.

⁹Eugene Scott, “Trump’s Ardent Defense of Confederate Monuments Continues as Americans Swing the Opposite Direction,” *Washington Post*, 1 July 2020, <https://www.washingtonpost.com/politics/2020/07/01/trumps-ardent-defense-confederate-monuments-continues-americans-swing-opposite-direction/>.

¹⁰See James Valentine, “Naming the Other: Power, Politeness and the Inflation of Euphemisms,” *Sociological Research Online*, vol. 3, no. 4 (December 1998): <https://journals.sagepub.com/doi/pdf/10.5153/sro.184>.

¹¹Michael Ohl, *The Art of Naming*, trans. Elizabeth Lauffer (Cambridge, MA: MIT Press, 2018).

II

Perhaps the most infamous act of naming the Jew in modern times is the assertion by Karl Lueger, the mayor of Vienna in the last years of the nineteenth century. When asked why he had Jewish friends, Lueger was said to have responded (and versions vary): ‘*Wer ein Jud ist, das bestimme ich*’ (Who is a Jew—that I determine).¹² A good part of the job of the antisemite is, in fact, to define the Jew and the qualities that set him apart from others.

Some fifteen years before Lueger, Wilhelm Marr, the German journalist birthed to the world the very name ‘antisemite.’ In 1879, he founded the *Antisemiten-Liga*—the League of Antisemites—in Germany. That same year, he published his pamphlet *Der Sieg des Judenthums ueber das Germanenthum* (The Victory of Jewishness over Germanness), in which he went about defining the character of Jews that made them so dangerous. It was not their religion, for Marr claimed that ‘the Jew *has* no real religion, he has a business contract with Jehovah and pays his god with statutes and formulations and in return is charged with the pleasant task of exterminating all that is not Jewish.’¹³ Rather, through their quest for hegemonic control over economy, culture, and the press, Jews have become ‘the leading political-social great power of the nineteenth century.’ Fueled by their avarice and foreignness, Marr declared, they have produced ‘a world-historical triumph.’¹⁴

Two of the key themes in Marr’s diagnosis of ‘Semitism’—the foreignness of Jews and their quest for world domination—would have come as a great surprise to the Jewish community in Germany at the time; its members were intent on demonstrating both how loyal and native they were to their country in the face of a rising chorus of public officials, intellectuals, and journalists who insisted otherwise.¹⁵ Notwithstanding their frequent, at times desperate, professions of fealty, the Jews’ perceived foreignness and appetite for world power became frequent weapons in the arsenal of antisemites worldwide, no more robustly than in the early twentieth-century *Protocols of the Elders of Zion*. It is the persistence of such assertions in the *Protocols* and elsewhere that leads to the stark ‘perception gap’ between Jews’ own sense of their constant vulnerability and non-Jews’ assertion of Jewish power and aspiration for dominance.¹⁶

Clearly, claims about the Jews’ perfidy serve a political, social, or even psychological function, as Jean-Paul Sartre captured in his renowned *Réflexions sur la question juive* from 1946. A half-century after Lueger, and only one year after the end of World War II, Sartre memorably declared that ‘(t)he Jew is one whom other men consider a Jew’—or, in another formulation, ‘it is the Christians who have *created* the Jew.’¹⁷ The insight that non-Jews, and especially antisemites, create Jews—often for purposes that have little to do with Jews, as David Nirenberg exhaustively showed in *Anti-Judaism*—continues to reverberate today.¹⁸ Thus antisemites declare Jews to be ‘globalists’

¹²Quoted in Carl E. Schorske, *Fin-de-Siècle Vienna: Politics and Culture* (New York: Alfred A. Knopf, 1979), p. 145.

¹³Wilhelm Marr, *Der Sieg des Judenthums über das Germanenthum* (Bern: Rudolph Costenoble, 1979), p. 15.

¹⁴*Ibid.*, pp. 4, 11, 32.

¹⁵See, for example, Jacques Ehrenfreund, *Les juifs berlinois à la Belle Époque* (Paris: Presses Universitaires de France, 2000).

¹⁶See J. J. Goldberg, *Jewish Power: Inside the American Jewish Establishment* (New York: Basic Books, 1996), pp. 6–7. See also David N. Myers, “Perceptions,” *Jewish History: A Very Short Introduction* (New York: Oxford University Press, 2017).

¹⁷Jean-Paul Sartre, *Anti-Semite and Jew* (New York: Schocken Books, 1948), pp. 68–69.

¹⁸David Nirenberg, *Anti-Judaism: The Western Tradition* (New York: W. W. Norton, 2013).

wedded to money and loyal only to their own. They go about their work defining the character of Jews with ontological certainty, all the while drawing on an expanding array of images that bespeaks the malleability of antisemitism. Of particular resonance today is the claim that the Jew is, for all intents and purposes, equivalent to an Israeli (or Zionist), a twenty-first-century variant of the older motif that Jews are loyal only to their own (a claim found, it must be said, both on the Left and the Right).¹⁹

In the world of white nationalism, which, it must be repeated, is the site of the most toxic antisemitism this country faces today (and may ever have faced), we notice a curious mutation emerging.²⁰ It is the appearance, as journalist Masha Gessen observed, of the ‘pro-Zionist anti-Semite.’²¹ Leading white nationalists such as Richard Spencer and Jared Taylor liken their movement to Zionism, seeing it as a model for the kind of mono-ethnic purity they favor in this country. While Taylor admits that ‘Jews are fine by me,’ Spencer inveighs against Jewish contamination and domination in crude terms.²²

This combination of pro-Israel and antisemitic sensibilities feels uncomfortably at home in our political universe—in the politically mobilized Christian evangelical Right with its end-game theology (symbolized by Pastor John Hagee and Christians United for Israel), in the archly conservative Catholic worldview of Stephen Bannon, and in the rhetorical nihilism of Donald Trump. For his part, Trump frequently granted himself the right to define Jews (or the obverse, to exclude mentioning them in the most conspicuous way). There are many examples. They include his appearance in December 2015 at the Republican Jewish Coalition Presidential Forum, where he stated: ‘I know why you’re not going to support me. You’re not going to support me because I don’t want your money.’ He then followed up by declaring, ‘This room negotiates [deals]—perhaps more than any room I’ve ever spoken in.’²³ They include the encoded dog-whistling used in a 2016 campaign ad that featured greedy and destructive globalists, not named but represented by images of a trio of prominent Jews in the world of finance, Lloyd Blankfein, Janet Yellen, and George Soros.²⁴ Then there was the act of naming by not naming when Trump neglected to mention Jews as victims in his remarks on International Holocaust Remembrance Day just days after taking office in late January 2017.²⁵ And there was the infamous assertion of ‘very fine people on both sides,’ ostensibly equating Jews and antisemitic white nationalists, at

¹⁹In the perverse symbiotic relationship between antisemitism and anti-antisemitism, this linkage of Jew and Zionist is mirrored in the equation between anti-Zionism and antisemitism that figures prominently in the IHRA, State Department, and now executive order formulae. And that equation may serve, in a further turn of the perverse dynamic, to reinforce the original antisemitic reductionism of Jewishness to Zionism.

²⁰See Ward, “Skin in the Game.”

²¹Masha Gessen, “The Real Purpose of Trump’s Executive Order on Anti-Semitism,” *New Yorker*, 19 December 2019, <https://www.newyorker.com/news/our-columnists/the-real-purpose-of-trumps-executive-order-on-anti-semitism>.

²²See the Southern Poverty Law Center’s research summary on Taylor at <https://www.splcenter.org/fighting-hate/extremist-files/individual/jared-taylor>; on Spencer, see “Richard Spencer Tells Israelis They ‘Should Respect’ Him: ‘I’m a White Zionist,’” *Haaretz*, 16 August 2017, <https://www.haaretz.com/israel-news/richard-spencer-to-israelis-i-m-a-white-zionist-respect-me-1.5443480>.

²³Ron Kampeas, “Five Takeaways from the Republican Jewish Coalition’s Presidential Forum,” *Jewish Telegraphic Agency*, 4 December 2015, <https://www.jta.org/2015/12/04/politics/five-takeaways-from-the-republican-jewish-coalitions-presidential-forum>.

²⁴Ron Kampeas, “That Trump Ad: Is it Anti-Semitic? An Analysis,” *Jewish Telegraphic Agency*, 6 November 2016, <https://www.jta.org/2016/11/07/politics/that-trump-ad-is-it-anti-semitic-an-analysis>.

²⁵Abby Phillip, “Trump’s Statement Marking Holocaust Remembrance Leaves Out Mention of Jews,” *Washington Post*, 27 January 2017, https://www.washingtonpost.com/politics/trumps-statement-marking-holocaust-remembrance-leaves-out-mention-of-jews/2017/01/27/0886d3c2-e4bd-11e6-a547-5fb9411d332c_story.html.

the violent rally in Charlottesville in the summer of 2017 whose main slogan was ‘Jews will not replace us.’²⁶

But the coup de grâce may well have been Trump’s appearance before the Israeli American Council gathering on 7 December 2019, a few days before he issued the executive order on antisemitism. There he performed three remarkable definitional acts—and even more remarkably, to an enthralled Jewish audience. First, he cast Jews as ravenous capitalists concerned with their own well-being: ‘A lot of you are in the real estate business, because I know you very well. You’re brutal killers, not nice people at all. But you have to vote for me—you have no choice. You’re not gonna vote for Pocahontas [Elizabeth Warren], I can tell you that. You’re not gonna vote for the wealth tax.’ Second, he portrayed those who don’t support his policy on Israel as disloyal Jews, assuming that their first fealty was not to their home country but to Israel, and third and related, he boasted that ‘the Jewish state has never had a better friend in the White House.’²⁷ (This claim went hand in hand with his partisan assertion from August 2019: ‘I think any Jewish people that vote for a Democrat, I think it shows either a total lack of knowledge or great disloyalty.’²⁸)

The insinuation that Jews are driven by material pursuit, intent on domination, and incapable of loyalty is an old trope, part of the accordion-like repository of antisemitic stereotypes familiar from the time of Wilhelm Marr. The claim by Trump that he is the grand custodian of Israel’s interests is not surprising given his boundless self-esteem, but it is of a piece with his assumption of the role of definer of the Jews—and through the lens of the new pro-Zionist, antisemitic amalgam. With the same certainty that he knew Jews to be ‘brutal killers,’ he determined that they should be singularly devoted to the state of Israel—in the ways that he believes himself to be—or else they were traitors to the Jewish cause. It was Trump’s legal henchman, Rudy Giuliani, who took this task of naming to the most shameless extreme when he declared of George Soros: He ‘is hardly a Jew. I’m more of a Jew than he is,’ before declaring Soros to be ‘an enemy of Israel.’²⁹

III

In light of this background, one must regard with a measure of caution and skepticism Donald Trump’s putative mission to combat antisemitism. One of the chief pieces of evidence to analyze is the executive order (EO) from December 2019, which involved an extension of Title VI of the Civil Rights Act of 1964 in three stages. First, the EO echoed the language of Title VI that ‘prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance.’ Second, the EO stated that although Title VI does cover discrimination against

²⁶See Rosie Gray, “Trump Defends White-Nationalist Protesters: ‘Some Very Fine People on Both Sides,’” *Atlantic*, 15 August 2017, <https://www.theatlantic.com/politics/archive/2017/08/trump-defends-white-nationalist-protesters-some-very-fine-people-on-both-sides/537012/>.

²⁷Meagan Flynn, “Trump Accused of ‘Dipping into a Deep Well of Anti-Semitic Tropes’ During Speech to Jewish Voters,” *Washington Post*, 9 December 2019, <https://www.washingtonpost.com/nation/2019/12/09/trump-israeli-american-council-anti-semitic-claims/>.

²⁸See Jonathan Lemire and Darlene Supeville, “Trump: Any Jew voting Democratic is uninformed or disloyal,” 21 August 2019, *AP*, <https://apnews.com/article/1bc3065eb2e4414289ef0ac1ac4ebaf7>.

²⁹Daniel Victor, “Rudy Giuliani Says He’s ‘More of a Jew’ than George Soros,” *New York Times*, 24 December 2019, <https://www.nytimes.com/2019/12/24/us/politics/rudy-giuliani-george-soros-jewish.html>.

religion, it was now extending coverage to those deemed to be members of religious group who may also face discrimination on the basis of Title VI's three criteria of race, color, and national origin. Third, the EO concretized these abstract principles by referring to the case at hand: 'Discrimination against Jews—who are commonly deemed to be members of a religious group—"may give rise to a Title VI violation when the discrimination is based on an individual's race, color, or national origin.' The effect of the EO was to blur the line between religious and national identity by holding that the fact that one was a member of the Jewish religion should not disqualify one from coverage under Title VI.

This is hardly a far-fetched or ungrounded move. In the 2013 Pew Center survey on American Jews, there was considerable overlap in the declared attachments of Jews: 78 percent identified as Jews by religion, whereas a similar number (three-quarters) stated that they felt 'a strong sense of belonging the Jewish people.'³⁰ One could readily conclude from these percentages that belonging to the Jewish religion and belonging to the Jewish people are closely entwined, not segregated, categories. And yet, there are several cautionary notes to observe. First, given that younger Jews tended to feel less identified in these ways than older Jews, it is certainly imaginable that these two figures have declined since 2013. Second, to profess a sense of belonging to the Jewish people is not necessarily to define oneself as 'national' in the ways implied in the executive order.

This brings us to the second key feature of the order itself, which is elaborated in section 2, points i and ii. It is there that the order invokes both the IHRA working definition of antisemitism (2.i.) and the IHRA list of contemporary examples of antisemitism (2.ii.). The list, in particular, has generated controversy by designating as antisemitic various forms of criticism of the state of Israel, such as denying Jews the right to self-determination, calling Israel a racist state or applying a double standard in criticizing it. The list also includes 'accusing Jewish citizens of being more loyal to Israel,' a claim which Donald Trump seems to have upheld while transforming it into a virtue.

In any event, if we bring together the first and second features of the EO—the new protection accorded Jews on grounds of their 'national' identity and the endorsement of the IHRA's attempt to defend against excessive critiques of Israel—we arrive at a pair of conclusions. First, the Trump administration was seeking to provide legal protection to Jews who identified themselves as Zionists, and second, there was an intent to push beyond the pale of legitimacy highly critical claims about Israel that fall under the category of 'anti-Zionism.' Both cases entailed clear acts of naming: Jews as Zionists and critics of Israel as anti-Zionists. Concomitantly, there was an attendant desire to create a legal regime to provide protection to the former and strip away legal protection from the latter.

Both of these acts raise new problems even as they attempt to solve existing ones. First, any effort to protect Jews as Zionists or strong supporters of Israel must contend with the fact that most, but by no means all, Jews identify that way. The 2020 survey of American Jewish political attitudes undertaken by the American Jewish Committee detailed that 59 percent of those polled felt that a strong connection to Israel is very or somewhat

³⁰See the Pew Center "Portrait of American Jews" survey from 1 October 2013, <https://www.pewforum.org/2013/10/01/jewish-american-beliefs-attitudes-culture-survey/#fn-17239-5>.

important to them. This is three percent lower than 2019 and twelve percent lower than 2015.³¹ Some argue that the decline is especially pronounced among younger generations, although that claim is far from unanimously held.³² Nevertheless, it is clear that a substantial minority of American Jews do not feel deeply connected to Israel. What effect will the extension of Title VI have on Jews who do not feel strongly attached to Israel or define themselves as Zionists? Will it delegitimize their forms of Jewish self-identification and even lead to their being subjected to new legal restrictions against critics of Israel?

Indeed, the problem of naming may be even more acute when it comes to anti-Zionists. The first important issue is that there is a lack of definitional clarity about what an anti-Zionist is. Is it someone who believes that Israel should not be a Jewish state, but rather a state of all its citizens? Is it someone who believes that Israel's occupation of the West Bank is illegal and even, according to international law, an apartheid regime—as Michael Sfar, one of Israel's leading human rights lawyers, has argued?³³ Apart from that definitional issue lies the troubling question of whether views of this nature should no longer be protected under the expansive free speech umbrella of American law on the grounds that they are antisemitic. But are they? To claim that Israel has instituted an apartheid regime in the West Bank and, as a result, is a racist state may be harsh and wounding for many Jews to hear. But it is not clear that such a statement is antisemitic in effect—and less so, in intent.

This lack of clarity brings us to the final conundrum. It is far from certain that any good comes from state actors—either faceless governmental bureaucrats or, worse yet, provocative political leaders such as Donald Trump—arrogating to themselves the right to define Jews with fixity. On the face of it, it would seem as if the right of definition should belong to members of the group themselves without having outsiders dictate the contours of their identity to them. That work of naming, incidentally, often yields not one fixed designation but rather a multiplicity.

But there is an obverse problem, too: if you can't name the group, you can't protect against the threat of hateful acts against it. In that regard, the antisemites' image of Jews—or actually the vast and malleable arsenal of antisemitic images—may be as germane as the Jews' own self-definition(s) in crafting a protective shield. At this point, it is important to recall where the most serious antisemitic risk in the United States lies: the extremist white nationalist world. Its members advance a range of stereotypes of Jews—as avaricious, disloyal, beholden only to the own, spreaders of disease, and intent on world domination—that can and have become actionable in the form of violent attacks.

³¹My analysis here rests on two fallible assumptions: first, an emotional connection to Israel suggests a willingness to identify as a Zionist, and second, a strong connection to Israel is not identical to a strong connection to the Jewish people. The 2013 Pew study points to a gap between the latter two sensibilities of about six per cent. Meanwhile, see the 2020 AJC survey at <https://www.ajc.org/news/survey2020>, and compare to the 2015 survey at <https://www.ajc.org/news/ajc-2015-survey-of-american-jewish-opinion>.

³²Compare this account by Linda Gradstein, "American Jews' Declining Attachment to Israel," 12 January 2017, <https://themedialine.org/news/american-jews-declining-attachment-israel/> to Dov Waxman, "Young American Jews and Israel: Beyond Birthright and BDS," *Israel Studies*, vol. 22, no. 3 (2017): pp. 177–199, doi:10.2979/israelstudies.22.3.08.

³³See Sfar's legal opinion for the human rights organization Yesh Din at <https://www.yesh-din.org/en/the-occupation-of-the-west-bank-and-the-crime-of-apartheid-legal-opinion/>.

It is here that serious thought must be given to suitable strategies. Has the time come for the United States to introduce European-style hate speech? The problem is compounded by the largely unregulated nature of the internet, which is a powerful force multiplier of white nationalist antisemitism, among many other forms of hate-filled propaganda. The European Union attempted to address the problem in 2016, when it announced a code of conduct that essentially relied on four tech giants—Facebook, Microsoft, Twitter, and YouTube—to monitor and remove offensive content at their discretion.³⁴ This voluntary approach has built-in limitations, especially given the dilatory response of these companies to the scourge of hate-filled propaganda in the United States and beyond.

Admittedly, it is an exceptionally complicated proposition to impose restrictions on the internet, given its unregulated and proudly open nature. This article has not attempted to begin to unpack and provide solutions to that tricky problem. Rather, the focus here has been on the act of naming which, as we have seen, is a deeply problematic and unavoidable act—both in terms of determining who has the right to do so and in attempting to protect against discrimination. What may be an important next step is to formulate an ethics of naming that honors a group's right to define itself (often in multiple ways), while also considering the impact of truly injurious and fallacious images of it imposed from the outside. By the standards of such a prospective ethic, Donald Trump, with his mix of rage- and insult-filled tweets, historically resonant stereotypes, and dog-whistling, has been an abject failure as a namer. But the United States can and must do better in arriving at clarity about what antisemitism is and what it is not.

Disclosure statement

No potential conflict of interest was reported by the author.

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³⁴See the European Union's Press Office's statement, "The Code of Conduct on Countering Illegal Hate Speech Online," 22 June 2020, https://ec.europa.eu/commission/presscorner/detail/en/qanda_20_1135.