

In Search of Justice

by Michael Curtis



Blogger Alison Chabloz arriving at Westminster Magistrates' Court, London, where she is accused of posting an anti-Semitic song online denying the Holocaust. Credit: Jonathan Brady/PA Wire

There is an optimistic forecast there'll be a change in the weather, a change in the sea of justice, in Britain and in the international community. The rising temperature may drain the swamp of antisemitism and calls for the liquidation of the State of Israel. Britain is not deluged but on June 14, 2018, more than a trickle if not a flood of partial justice was rendered in London when Alison Chabloz who had been convicted on May 25, 2018 of three charges of sending by public communications network an offensive, indecent, or menacing message or material was sentenced to a 20 week prison term, but suspended for two years, banned from using social media for a year, and ordered to perform 180 hours of unpaid work. By this sentence she avoided jail.

The 54 year old Chabloz, self-confessed Holocaust

“revisionist,” had written and sung lyrics that referred to the Holocaust as a hoax, a bunch of lies, and to Auschwitz as a “theme park for fools.” She had mocked well known Jewish individuals, including Elie Wiesel.

At her trial, the District Judge at Westminster Magistrates’ Court, John Zani, said she was guilty of disseminating “grossly offensive” material, and showed no proper remorse about it, her lyrics were offensive, intended to insult. Zani made clear that the right to freedom of speech is fundamental in a democratic society, but it is a “qualified right.” Though her statement is inaccurate, Chabloz complained, “I am the only artist in modern British history to have been jailed for the heinous crime of composing and singing satirical songs which I uploaded to the Internet.”

Three comments are fitting. In view of her behavior and defiant lack of remorse the penalty can be deemed inadequate in the lack of a prison term when compared to the case of Tommy Robinson. A second is that the CPS, Crown Prosecution Service, was slow to join in the prosecution. The lesson learned is that the CPS should be more active in prosecuting offences of antisemitism and Holocaust denial. The official body should be more active in prosecuting antisemitism and Holocaust denial, and not leave it to a private organization.

The wider and disconcerting issue is that the gallery in the courtroom when Chabloz was sentenced shouted support for her, “three cheers for Alison.” Her supporters argued her lyrics were not “grossly offensive,” as Judge Zani had stated, and more important there is no law in England against “so called Holocaust denial.”

Coincidentally on the same day as Chabloz was convicted, the journalist broadcaster whose pseudonym is Tommy Robinson was sentenced on May 25, 2018 to 10 months prison for contempt of court, to which another three months suspended sentence was added, after publishing on Facebook a video of defendants

entering a law court, despite a court order preventing reporting on trials while they were proceeding.

Robinson is a 34 year old man with a rather unsavory record, founder and former leader of the far-right English Defense League from which he resigned in 2013. In recent years he has been active in criticism of Islamic activities in Britain. He voiced opposition to Muslim immigration, and spoke of the threat of Islamist terrorists posing as refugees. He has described the Koran as a violent and cursed book. In particular he denounced Muslim activities regarding young women.

Yet Robinson was not arrested or convicted for his views of Islam or Muslims, but twice for the offence of reporting on a trial before proceedings had finished.

On May 8, 2017, Robinson was arrested for contempt of court when trying to video those he termed Muslim paedophiles, four suspected of raping a 16 year old girl. He used a camera on the steps of the Canterbury Crown Court, thus breaking the law which forbade this, and he was convicted and got a suspended sentence. The judge, Heather Norton, said she was not preventing free speech or free press, but ensuring a trial can be carried out justly and fairly. Nevertheless, contrary to her decision, Robinson was not engaging in "irresponsible and inaccurate reporting."

The second charge was for breach of peace and contempt of court outside the Leeds Crown Court. At this time, 27 Muslim men and three Muslim women were accused of drugging, raping, and sexually exploiting more than 100 girls, some as young as 11. Robinson's offence is that he had spoken about the trial before it ended. He had published on Facebook a video of the defendants entering the court despite a court order preventing reporting on the trial.

It is arguable that the prison sentence imposed on Robinson,

though not an appealing character, was excessive when compared to the leniency given Chabloz. Though he was not punished for them, Robinson's declarations about Muslims in Britain have to be seen in the context of the widespread allegations that Muslims, mostly Pakistanis, have been responsible for brutality, raping, and trafficking regarding untold numbers of young and vulnerable British girls. Many others besides Robinson have been concerned that social workers and police in Britain have deliberately ignored these crimes for fear of being called racist or Islamophobic.

The swamp in the United Nations organization still pollutes their activities, though some drainage has occurred. The UN General Assembly UNGA on December 21, 2017 had condemned, 128-9-35, the U.S. decision to move its Embassy to Jerusalem. The act would be "null and void." Almost simultaneously with the Chabloz and Robinson cases, the UNGA met at an "emergency meeting on the Gaza Strip" on June 13, 2018. A resolution, introduced by Algeria, Turkey, and the Palestinians that the Israeli IDF had used "excessive, disproportionate, indiscriminate" force, as a result of the Israeli response to the protests that began on March 30, 2018 along the Gaza line, passed 120-8-45. The resolution also called for for an "international protection mechanism for occupied Palestinian territory."

No mention was made of the violence by Hamas. on attacks on Israel. The U.S. by an amendment, attempted to do this by having Hamas, which routinely initiates violence, condemned, but it was not officially passed.

In view of criticisms of U.S. policy it is relevant to look at the roll call on the Resolution that passed. The eight countries that voted against the Resolution were the U.S., Israel, Australia, Micronesia, Nauru, Togo, Solomon Islands, Marshall Islands. Those voting in favor of the Resolution included most of the African countries, including Kenya and Uganda that had been visited by Prime Minister Benjamin

Netanyahu. Only Togo voted against and seven other Africans abstained. Of the EU countries, 12 voted for the Resolution, including France, Belgium, Spain, Switzerland, Sweden, and Norway, and 16 abstained.

At the June 13, 2018 session, U.S. Ambassador Nikki Haley proposed the amendment to the Arab backed Resolution. It would condemn Hamas for its violent activity, its firing of rockets, 180 on one day, and provocative actions, including the construction of military infrastructure intended to infiltrate Israel. Three factors may be a sign of changing times. One is that a motion by Algeria to quash the U.S. amendment passed by only a relatively narrow majority, 78-59-26. The second is that the U.S. amendment passed 62-58-42, but failed because of the procedural requirement for a two-third majority to pass. The third is that all 28 EU countries voted for the U.S. amendment.

The U.S. is proposing a peace plan for the Israeli-Palestinian conflict, and White House Special Adviser Jared Kushner and Middle East Envoy Jason Greenblatt will be travelling to Israel and other Middle East countries to present it. Perhaps they will be able to persuade the well-educated Palestinian leaders that the fall in the standard of living in Gaza and its socio-economic despair is due to the activities of Hamas, and that all will benefit from peace and the end of terrorism. Then justice will be done, and the sun will come out tomorrow.