

# Bad Faith, Bad Memory: Antisemitism and Documenta 15

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*Though Spain's controversial democratic memory bill was approved this week, it should not take Germany's more developed memorial culture for granted, as the fiasco over antisemitism at Documenta 15 has shown.*

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Spain's law of democratic memory has just [passed](#) thanks to a controversial pact struck by the governing Socialist Party (PSOE) with EH Bildu, a party with close ties to Herri Batasuna, formerly the political wing of Basque terrorist group ETA. The new legislation seeks to document violations of the human rights of individuals and groups who fought for "the consolidation of democracy" during the *Transición* (1975-1982), a period typically mythologised as a peaceful. Yet a controversial amendment to the proposed law has infuriated the Right, associations of ETA victims, and former PSOE leader Felipe González. The amendment, offered by EH Bildu in exchange for supporting votes, involves examining cases of violence committed in 1983, during the first year of Felipe González's presidency. It was the birth year of the GAL—death squads illegally commissioned by PSOE government officials to fight a dirty war against ETA in the Basque territories. The Right believes that granting victim status to *suspected* terrorists executed by GAL agents means equating potential ETA terrorists with the real victims of ETA violence. Though the criminal remit of the law doesn't extend beyond 1978—no GAL members would be brought to trial—the right has seized on the amendment to accuse the left of instrumentalising historical memory for party political gain. While former PSOE leader Jose Luis Rodríguez Zapatero regards the bill as a constructive addition to existing laws, an umbrella organisation for victims of the Franco regime, the [Association for the Recovery of Historical Memory](#), regards it as insufficient.

Similarly, debates over the reform of official memorial culture came to a head this month in Germany owing to the scandal over antisemitism at the fifteenth edition of Documenta in Kassel. Typically, when controversies over historical and democratic memory resurface in Spain, the Left often holds up Germany's *Erinnerungskultur* as a model to follow. Specific admiration for the German model was expressed recently when Isabel Medina Peralta, a Spanish activist and antisemitic darling of the far-Right, was [refused entry](#) to Germany for carrying a copy of *Mein Kampf* in her suitcase. In a bizarre occurrence, when the work and exhibition spaces of artists linked to the BDS movement were broken into and vandalised earlier this year, they were graffitied with the name "Peralta"—a synonym of "antisemite".

The respective controversies over democratic memory in Spain and Holocaust memorial culture in Germany foreground the need for a critical discussion about the instrumentalization of historical memory by activists and academics as well as by official institutions. With Sabine Schormann—who has now resigned—as general director, in 2019 Documenta's Finding Committee invited "ruangrupa", a collective of artists and activists from Jakarta to curate and

direct its fifteenth edition for 2022. What the committee found most [appealing](#) about ruangrupa was their “picture of a world made of many worlds, without hierarchy or universalism”. Organised around the central motif of “lumbung”, an Indonesian term for “communal rice field”, the summer-long event hopes to convey a spirit of cooperation and redistribution, foregrounding collective authorship and works from the postcolonial Global South, in what has been described by [art critics](#) as an instantiation of “social practice” and “relational aesthetics”.

Before opening its doors to the public on June 18<sup>th</sup>, the Kassel-based event made headlines after it came to light that several of its pavilions and workspaces had been broken into and vandalised. Concerns over the safety of participants in the town were raised, as in 2020 a right-wing extremist murdered nine people from an immigrant background in the city of Hanau, near Frankfurt. In April, the ruuHaus headquarters of Indonesia’s ruangrupa collective had been covered with both Islamophobic and pro-Israel stickers reading “Freedom instead of Islam” and “Solidarity with Israel”. By May, the exhibition space of Yazan Khalili—artist and member of Palestine’s “The Question of Funding” collective—had been sprayed with graffiti reading “187”—possibly “murder” or “capital offence” in California’s penal code and, “Peralta”—a reference to the aforementioned Isabel Medina Peralta. The ruangrupa collective regarded the “racist defamations” and intimidatory atmosphere as resulting from a “smear campaign” by the online *Bündnis gegen Antisemitismus Kassel* or “Alliance against Antisemitism Kassel” to discredit Documenta by spreading false rumours of antisemitism. Many of the factually dubious allegations made by the [Antideutsche](#) alliance were subsequently reiterated by mainstream newspapers such as the liberal Die Zeit and conservative Die Welt after first featuring on news website Ruhrbarone.



The alliance’s early allegations of antisemitism consisted in drawing attention to organisers’ and invited collectives’ alleged links to the Boycott, Divestment and Sanctions movement against the state of Israel. In 2019, the German Bundestag passed a resolution condemning the BDS movement as antisemitic, and support for it unworthy of receiving government funding.

Concretely, the authors behind the *Bündnis* accused ruangrupa of antisemitism for inviting the purportedly pro-BDS, Palestinian collective “The Question of Funding” and for not inviting any Israeli artists or collectives. Indonesia’s ruangrupa denied maintaining direct links to BDS, pointing out that the connection between some of the artists from the “The Question of Funding” collective and BDS merely consisted in signing an [open letter](#) titled “Nothing Can Be Changed Until It Is Faced”, which criticised Germany’s adoption of the BDS resolution in 2019. For ruangrupa, as indirect associates of the Palestinian collective, that “one neither has to support nor defend BDS to be labelled as antisemitic” raises doubts over Germany’s claim to cultural *Öffentlichkeit*. Quoted in [Al Jazeera](#), Palestinian-German academic Sami Khatib claims that for Palestinians in Germany the cultural climate is becoming increasingly hostile: “you are suspected of not sharing the German memory culture, the consensus on Holocaust memory” ... “and of course you’re scrutinised for that”.

### Documenta’s Response

Rejecting the allegations, ruangrupa and Documenta organised a three-part series of expert discussions titled “We Need to Talk! – Art – Freedom – Solidarity” on topics such as the “fundamental right of artistic freedom in the face of antisemitism, racism and Islamophobia”, differences in the “German and international understanding of antisemitism and racism,” and “the phenomenon of anti-Muslim and anti-Palestinian racism”. The roster included Islam scholar Schirin Amir-Moazami, Israeli author Omri Boehm, antisemitism scholar Marina Chernivsky, postcolonial theorist Nikita Dhawan, Berlin-based artist Hito Steyerl, and pro-Palestine architect Eyal Weizman, among others. The first two talks aimed at “zeroing in on the blank spots of the German debate surrounding antisemitism and racism” and discussing the pros and cons of the postcolonial approach to art, politics and history. Meron Mendel, director of the Anne Frank Memorial Centre, was also brought in to contribute to the discussion forum and to advise the administration in light of the highly publicised allegations. The Green Party’s Claudia Roth, State Minister for Culture, approved the initial proposal for public talks.

Yet in a private letter to Roth, Josef Schuster, Head of the Central Council of Jews in Germany, [criticised](#) the orientation of the panel for anti-Jewish bias, stating that the fight against antisemitism requires “clear commitment” and “political action at every level of politics, art, culture and society”. “No one—not even in the name of artistic freedom—may absolve themselves of this responsibility”, wrote Schuster. Citing the alleged impossibility of hosting a “multi-perspective dialogue beyond institutional frameworks”, the talks were abruptly [cancelled](#) by ruangrupa and the Documenta team. In a subsequent [open letter](#), while ruangrupa claimed to have represented the viewpoint of the Central Council of Jews on their “polyphonic” panels of experts, they also highlighted the need to take into account an overlooked “constellation” of participants from the Global South, who are, they argue, disproportionately affected by false and censorious charges of antizionist antisemitism and “BDS proximity”. According to ex-director Schormann, nobody was [invited](#) from the Central Council of Jews because ruangrupa were concerned with hearing from experts in the fields of art and academia (facilitated internally by Documenta) but not from any institutional representatives. Questioning the effectiveness of what they described as Germany’s “performative confessional culture” in fighting injustice, ruangrupa pointedly remarked that “the forum would have been

a place to engage with this contradiction, the contentiousness of certain definitions of antisemitism (IHRA)”, adding that those “who reject this political debate in advance”, or attempt to “deplatform recognized scholars whose views they don’t share” are “leaving the conversation before it has begun.” According to ruangrupa the talks “failed” because “some people are not even interested in debating but instead would rather spread smears and rumours”. Ultimately, the curators and managers of Documenta gGmbH preferred to have no discussion than engage with what they regarded as the deliberate “bad faith” of public institutions bewitched by the civil religion of the self-flagellating *antideutsche*.

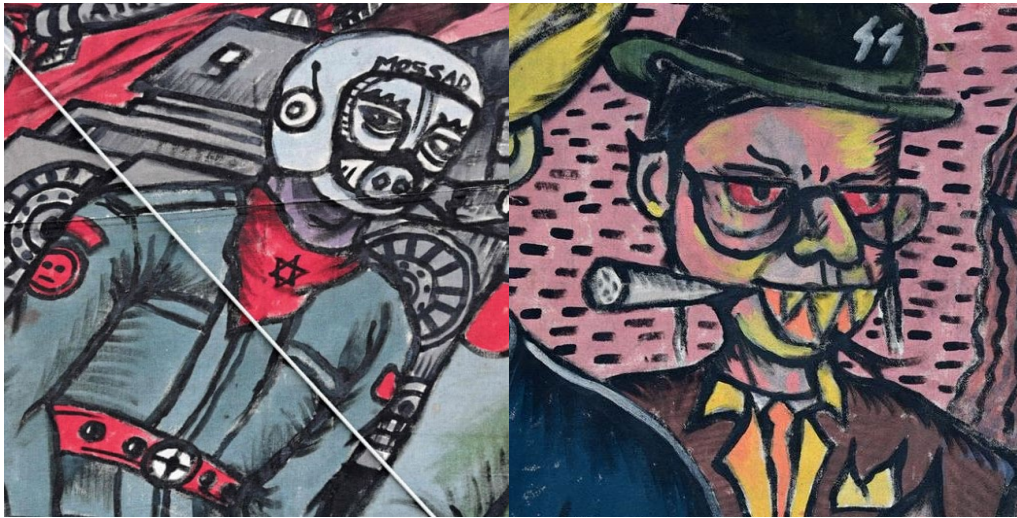
In contrast to many of the mainstream papers, generally dismissive of the claims were the Berliner Zeitung, advisor Meron Mendel, and many artworld insiders. In the run up to the opening, participating artists issued a [statement](#) in support of ruangrupa and against the allegations. Mendel also defended ruangrupa and Documenta against the claims, emphasising the need to distinguish between antisemitism and legitimate expressions of antizionism. In an [interview](#) with the Berliner Zeitung Mendel claimed that “The criticism before the opening of the Documenta shows a tendency that has crept into the German debate on antisemitism and which I consider problematic: equating vehement criticism of Israel with antisemitism. In extreme cases this can be the case, but I am very cautious about one-sided criticism of people from Palestine, some of whom live under occupation. It is understandable to me that people who, for example, experience the conditions in Gaza first hand, hate Israel. But the real border crossing happens when the hatred is directed against Jews themselves and no longer against a state.”

The fifteenth edition publicly opened on the weekend of the 18<sup>th</sup> June. By the following Monday it was revealed that some of the allegations of antisemitism had been less misguided than originally believed. Hanging on a scaffold in the centre of Kassel, visitors spotted antisemitic elements in the vast mural-cum-banner titled “People’s Justice” (2002) by the Indonesian artist collective Taring Padi. “People’s Justice” ostensibly attempted to caricature and denounce the role played by Western elements such as the CIA, MI5 and Mossad secret services in propping up Indonesia’s brutal Suharto regime after 1965, which purged hundreds of thousands of suspected communists and political dissidents. After the initial observations were made, a black cloth was draped over the banner, and a global explanation, as it were, of the particular Indonesian context in which it had been produced was provided. A statement was made on Tuesday 21<sup>st</sup> June. “Due to a depiction of a figure in the work “People’s Justice” by the collective Taring Padi, which triggers antisemitic readings, the collective, together with the management of Documenta and the artistic direction of Documenta 15, has decided to cover up the work in question at Friedrichsplatz and to install an explanation next to the work.”

A day later, Roth requested its removal altogether. The antisemitic elements referred to two figures. First, of a pig-snouted Mossad agent wearing a scarf bearing the Star of David (for Judaism, the pig is the essential emblem of impurity; the Star, a symbol of the State of Israel). Second, of an Orthodox Jew depicted as a fanged, red-eyed vampire in a bowler hat bearing the insignia of the SS or *Schutzstaffel*. On the same day, Mendel expressed his incredulity and sense of [betrayal](#) following the revelations in an interview with Berliner Zeitung. “The artists have deliberately put multi-layered anti-Semitic narratives on the canvas here, there can be no



doubt about that.” Criticising the subjective explanation offered in the apology by Taring Padi and the management—the work was “understood differently from its original purpose”, that “our imagery has taken on a specific meaning in the historic context of Germany”—Mendel observed that “Antisemitism is reduced to a sensation of the viewer and not located in the banner itself. An objective anti-Semitic representation is not conceded.” Yet Mendel also defended his initial stance in the run up to opening, namely “that much, and perhaps all, of the accusations of antisemitism were unjustified beforehand” for “equating vehement criticism of Israel with antisemitism” in the manner of the *antideutschen*.





Details from "People's Justice", Taring Padi Collective, 2002





On Monday the 20<sup>th</sup> June, Sabine Schormann [reminded](#) observers that since “People’s Justice” had not been painted for Documenta 15 it was not the responsibility of her management to have inspected it beforehand. “It was created in the context of Indonesia’s political protest movement and was shown there, and in other non-European locations.” A day later, Schormann [declared](#) that “Antisemitic depictions must have no place in Germany, not even in an art show with a global scope”. Schormann promised that the “next step would be to take down the painting” and to investigate further possible infractions—a task which would fall to advisor Mendel. Remaining silent until the 23<sup>rd</sup> of June, ruangrupa’s (qualified) [apology](#) echoed Taring Padi’s view that antisemitism is in the eye of the beholder, especially a German one with an axe to grind: “The truth of the matter is that we collectively failed to spot the figure in the work, which is a character that evokes classical stereotypes of antisemitism”, “this collectively made banner is referring to Indonesia’s legal and social unresolved dark history since 1965”, “we also want to point out that many of the attacks against us were not done in good faith.” On the same day, The members of the Documenta “finding committee” [defended](#) their “polyphonic” philosophy and decision to appoint ruangrupa, stating that “while we want to draw a line between criticism of the Israeli state and antisemitism, images that reference Nazi caricatures cannot be allowed and we understand the hurt they have caused.” Thus, while the Documenta management was initially reluctant to recognise the explicitly antisemitic elements in the antizionist art of Taring Padi, it was quick to insist that not all antizionism is necessarily antisemitic.

The Taring Padi scandal marked a before and an after, however it was not the only example of antisemitic work at Documenta. Though Mendel applied an “objective” reading to the Indonesian collective’s “People’s Justice”, he took a rather more flexible, contextual approach to the antizionism of a different artist from Palestine. Mendel downplayed criticism of Palestinian artist Mohammed Al-Hawjri’s equation of the Nazi Condor Legion and Israeli IDF in the series “Guernica-Gaza” by linking potential resentment towards Israel to the “difficult conditions” faced by its inhabitants. Though contextualisation is not always relativisation, sometimes context is invoked to prevent positive identifications or arguments from being made. In other words, while one definition of antisemitism can encourage the viewer to see reasons why an expression should be positively regarded as antisemitic, another definition may well focus on why it should not. Were Mendel and Documenta basing themselves on the [controversial](#) JDA or Jerusalem Declaration rather than on the IHRA’s “working definition”? Conceived as an alternative to the IHRA, which many on the Left regard as inimical to free speech, the JDA does not regard BDS as antisemitic, situates antisemitism within a broader framework of racial discrimination, and aims to offer guidelines for distinguishing between legitimate and illegitimate criticism of Israel. Critics of the JDA claim that it makes too much room for the hypothetical intentions and subjective experiences of critics of Israel. On the JDA view, hostile statements towards Israel could be regarded *not only* as tokens of antisemitic resentment but also as understandable reactions to the lived experience of being deprived of one’s human rights by the Israeli state apparatus. Following such a logic would allow one to argue that Taring Padi’s “People’s Justice” is not only antisemitic, but that it is simultaneously a legitimate and illegitimate critical expression, legitimate antizionism because its purpose is

to denounce real suffering experienced under the Israel-backed Suharto regime, illegitimate because it depicts a Jew as a Nazi.

Michael Rothberg's [analysis](#) of the collectively authored "People's Justice" banner leads to a similar conclusion: moments of legitimate antizionism coexist with antisemitic iconographies from European as well as non-European sources. For him, the Mossad caricature "remains within the (acceptable) bounds of political critique and satire" because Israel is not singled out from the general cast of offending secret services. Unlike Michael Höttemann, who sees in the banner a "binary worldview" typical of antisemitism, Rothberg identifies "multiple causal elements, including corporations, nation-states, capitalist commodification, and international institutions such as the world bank". It ought to be noted that other than the Suharto regime, no non-Western regimes are criticised. Indeed, the banner appears to present a rousseauian opposition between the abstract, zombie-like, "military-industrial" complex of the West and the vital, labouring bodies of the native *résistants*, who are depicted as much closer to earth, animals and nature, to the concrete-particular. This kind of politically ambivalent, truncated anticapitalism or anti-imperialism is a key attribute of the modern antisemitic worldview. Historically speaking, however, such a critique has also been present in many left-wing currents without necessarily being antisemitic or reactionary.

Regardless, Rothberg comes to the same conclusion for "People's Justice" as Mendel on "Guernica-Gaza": since the acceptable and the unacceptable share the same surface, "definitive judgments" are impossible as well as inadvisable. By humbly abstaining from judgment, a "space of potential dialogue" and "an opportunity to unlearn what we think we know" about discrimination may arise. Yet this position raises the dilemma of what to *do* with such contradictory works. Mendel suggested that some of the minor cases could have been solved with a simple contextualising caption or museum label. This, in turn, begs the question of the limits of contextualisation. For example, the "Subversive Film" collective screened a restored, un-commented [recording](#) on the "overlooked" Japanese Red Army and its commitment to "anti-imperialist solidarity" with Palestine. Active terrorists for over a decade, the Japanese Red Army carried out a suicide bombing "in solidarity with the Palestinian oppressed" at Lod airport near Tel Aviv on May 30, 1972, massacring 26 people. Artist Khalid Albaih [portrays](#) ISIS as a Zionist conspiracy. More a question of making light, London-based Hamja Ahsan [satirised](#) the terrorist Popular Front for the Liberation of Palestine (PFLP) by depicting it as



a "Popular Front for the Liberation of Fried Chicken" billboard, which hung alongside another reading "Kaliphate Fried Chicken" on the Museum Fridericianum building in Kassel. Should a work speak for itself, or should others speak on its behalf?



All the organising groups repeated their hope that the Taring Padi scandal would not overshadow the other 1,500 exhibiting artists and collectives. The ruangrupa curators, who for months had insisted that no antisemitism was present, asked visitors not to discard their edition of the show, with its emphasis on contributions from the Global South. Meanwhile, Claudia Roth and other politicians have threatened to cut federal funding from future Documenta editions in the absence of reforms, reforms which may look like adopting the IHRA definition or applying the 2019 BDS resolution more resolutely. In any case, the reforms are unlikely to correspond to the philosophy of ruangrupa and the Documenta management. In a recent Bundestag hearing, ruangrupa's Ade Darmawan denied that his collective had boycotted Israeli and Jewish artists, explaining that there were Jewish participants but that they preferred not to be named.

By way of a summary, during the period of allegations, dialogue was deemed impossible by ruangrupa. "The criticism of the multi-directional conceptualization of the planned panels of the forum, expressed by the Central Council and some media, clearly shows that it is difficult in Germany to bring both perspectives—the one affected by antisemitism and the one affected by anti-Muslim and anti-Palestinian racism—into conversation." After the revelations, Taring Padi hoped that their covered-up banner would become "a monument of mourning for the impossibility of dialogue at this moment". Yet once the banner was taken down, ruangrupa declared that they were "here to stay" and that they "would like to continue the dialogue" with their supporters and the general public. To this end, hired advisor Mendel was asked to organise a new discussion on [Antisemitism in Art](#) for the 29<sup>th</sup> June. The panel was perhaps even less diverse than the ones proposed by ruangrupa, featuring postcolonial theorist Nikita Dhawan, the director of Documenta 14, and Mendel himself. However, in keeping with the postcolonial focus of the management, a large part of the discussion centred on Michael Rothberg's decolonial concept of multidirectional memory. Though the talk did not include any "institutional" representatives either from the Central Council of Jews or from any other external German organisation, no members of ruangrupa participated.

On Friday 8<sup>th</sup> July fortunes dived for the direction when Mendel resigned from his post as Schormann's chosen expert on antisemitism. In an [interview](#) with Der Spiegel, Mendel claimed that neither an "honest dialogue" nor a full-scale investigation had taken place, alleging that Documenta and Schormann had rejected his proposal of convening an external board on antisemitism, failed to facilitate meetings with ruangrupa, and failed to make adequate contact in the two weeks since his much-vaunted appointment. On the same day, the prominent artist Hito Steyerl, who had intended on delivering a lecture on the need for Documenta to reflect on its own antisemitic past and possible connections to Nazism at ruangrupa's self-cancelled *We need to talk!* forum, and whose work featured in this year's edition, announced their [decision to withdraw](#) from the exhibition. Steyerl cited their lack of faith in the "organisation's ability to mediate and translate complexity", "the repeated refusal to facilitate a sustained and structurally anchored inclusive debate around the exhibition", "the virtual refusal to accept mediation", "insufficient measures over "anti-semitic content displayed at its central location" and "unsafe and underpaid working conditions" despite the communitarian and egalitarian rhetoric of the edition. Schormann has [contested](#) the allegations, stating that the artists and ruangrupa curators rejected an external advisory board on antisemitism because they feared

ensorship and stigmatisation. Ruangrupa allegedly saw themselves “under general suspicion and defamed and sometimes threatened because of their origin, their skin color, their religion or their sexual orientation.” Her office’s slow response to the Taring Padi scandal is put down to having held consultations—in keeping with the collaborative *lumbung* philosophy of the 15<sup>th</sup> edition—with ruangrupa, Taring Padi and the internal advisory board. Not having consulted ruangrupa would’ve endangered the artistic freedom of the participants and given credence to accusations of German censoriousness, argued Schormann. It is unlikely, however, that Schormann and Documenta’s policy of sheepishly patronising their guests by [shielding](#) them from working with external figures like Mendel has proved very effective. It’s debatable whether adopting the collective decision-making process of the rice field is appropriate when dealing with clear cases of antisemitism that risk serious legal and practical consequences for future artists and editions of Documenta.

The question remains—were suspicions of bad faith reason enough to refrain from discussion in the first place? For several months the charges of antisemitism were dismissed out of hand because they were perceived to have had their exclusive origin in a smear campaign by the *antideutschen*. When it became obvious that some effort at bridging the gap was needed, i.e., between Germany’s current memorial culture and a projected “global” alternative that takes a broader range of memories into account, talks were cancelled by the hosts because some of the invited parties had privately questioned the idea of accepting ruangrupa’s postcolonial programme as the *sine qua non* of the discussion. As Enzo Traverso has pointed out, Germany’s process of “coming to terms with the past” (*Vergangenheitsbewältigung*) is far from perfect and in need of reform. For example, David de Jong’s recently published *Nazi Billionaires* shows how the process of historical remembrance—which accelerated in the eighties, especially in the sphere of culture—did not extend to include the basis of economic power in Germany, its industrial families.

The new historian’s dispute set into motion by the work of Dirk Moses, Michael Rothberg, and Timothy Snyder among others should provide an opportunity for criticising those who would instrumentalise the memory of past suffering to score political, even theoretical points in favour of structural antisemitism or structural racism. However, the argument that establishing a colonial genealogy needn’t necessarily detract or efface the specificity of a given mass killing cannot assume that it will land on fertile soil from the outset. It took almost thirty years after the fact for scholars to begin considering “Auschwitz” in its specificity, as a process of exterminating Jews qua Jews and not as political prisoners or generic victims of fascism. Similarly, historian Paul Preston faces an uphill battle convincing Spanish society of the colonial genealogy (Morocco) behind Franco’s “cleansing” of genetically inferior republicans before, during and after the Civil War. Nor should the view of modern antisemitic ideology as the specifically capitalist form of scapegoating par excellence expect to curry immediate favour when the global division of labour is as evidently racially determined as it is. The cases have to be made, as much in an institutional setting as in activist and artistic circles. Unfortunately,

Documenta's handling of the affair has done little to prevent Germany's monolithic memory culture from becoming even more rigid.



This is not just a challenge for historians. Instead of declaring “monuments to the current impossibility of dialogue” (Taring Padi), instead of aestheticizing a moment of apparent gridlock, artists ought to consider the possibility of building monuments that facilitate public dialogue about difficult issues. Esther Shalev-Gerz and Jochen Gerz’s “Harburg Monument against Fascism” was an interesting attempt to do so. Responding to the rise of neofascism, in 1979 the city of Hamburg began public consultations over the construction of a monument against fascism. In 1986, a 12-metre-high column of lead was erected in a busy public square in working-class Harburg. Citizens were invited to respond to a statement about fascism by engraving their names onto the surface of the monument, using a metal stylus provided. The accompanying label read: “We invite the citizens of Harburg, and visitors to the town, to add their names here to ours. In doing so we commit ourselves to remain vigilant. As more and more names cover this 12-metre-high lead column, it will gradually be lowered into the ground. One day it will have disappeared completely and the site of the Harburg monument against fascism will be empty. In the long run, it is only we ourselves who can stand up against injustice.” The aim was to create a non-monolithic monument, a counter-monument capable of mirroring living memory, signalling the absence of the remembered by the ephemerality of the construction itself. A seismograph of public discourse, the early scratches and defacements



increasingly gave way to more thoughtful contributions as participants came to gain a greater appreciation of the rationale behind the monument and of the changing times, especially after the fall of the wall in Berlin in 1989.

### “Peralta”

How did the name of a formerly obscure, 20-year-old Spanish fascist end up graffitied on the exhibition space of artists at Documenta? Just months after Spain’s oldest Jewish cemetery was [profaned](#), Peralta gained online and press notoriety after giving a speech at an event in homage to the so-called volunteers of the Spanish *División Azul* who fought with Hitler against the Red Army in Leningrad. Peralta intoned: “Our supreme duty is to fight for Spain and a Europe that is now weak, decimated by the enemy. The enemy is always the same, though its guise may change: the Jew ... The Jew is responsible, the Jew is responsible, and the *División Azul* fought for this truth. It aimed to free the world from communism, from a Jewish invention designed to pit workers against one another and to finish with the ideal of nation states.”

The Spanish police reported a case of hate speech. Judge Carmen Rodríguez-Medel, however, dismissed the charge without having practised due diligence, claiming that Peralta’s statements cannot be regarded in legal terms as endangering Jews. Taking the judge’s verdict on board, Peralta later informed media reporters that she had not called for violence against any concrete group of Jews, but merely criticised an abstract entity, the figure or signifier of “the Jew”. Though [publicly questioned](#) by Más País’ leader, Íñigo Errejón, at the EU’s behest Spain adopted the IHRA working definition, which is legally non-binding, in 2020. Spanish law thus had the resources to argue for a clear case of antisemitic hate speech along IHRA lines. At the time of writing, however, Peralta is facing further charges for racist declarations made at a protest outside the Moroccan Embassy in May 2021. There, Peralta expounded the “great replacement” conspiracy and called for violence—“death to the invader!”—against concrete others, namely asylum seekers and Muslims. At the time, diplomatic relations between the Spanish and Moroccan states were newly strained over a spike in mass border crossings at Ceuta and Melilla. The cynicism of the two countries has led to the tragic [deaths of 37 subsaharan asylum seekers](#) at the Nador-Melilla border this year.

Peralta’s chances at evading justice appear to be slimmer the second time round, suggesting that while Spain is (in principle) capable of identifying and punishing cases of racial discrimination, it still has much to learn about modern antisemitism. In the same month, a third case of hate speech, Peralta’s “Bastión Frontal” organised a pro-Palestine rally calling for war and a “glorious” intifada against the *pueblo de Israel*—against the abstract universalism of “finance capital”, “the USA”, “Brussels”—featuring a banner that read “intifada, blood, soil, identity”. If charges ever are brought forward, will *pueblo* (“people” or “state”) of Israel also be interpreted juridically as referring to an abstract entity and thus not considered a form of hate speech? Though evidently a key part of her overarching antisemitic worldview, in Spain Peralta is more likely to be judged for her racism rather than her antisemitism.

Left-wing media in Spain celebrated Germany’s strict policy on symbology when police at Frankfurt airport denied Peralta entry after finding Nazi paraphernalia in her luggage. This is an understandable reaction in a country that hosts the largest standing monument to fascist

victory in the world. Yet as the Documenta fiasco has shown, even countries with a relatively developed memorial culture such as Germany face significant challenges and obstacles, such as how to promote historical memory without objectifying it in the process. Rothberg claims that “Germany’s guardians of “anti-antisemitism” have used the “People’s Justice” banner to instrumentalise accusations of antisemitism and confirm their own prejudices about the Global South and “postcolonialism”. Yet if the defenders of the postcolonial view are serious about holding a more plural conversation, then they too will have to refrain from judgments of “bad faith”, allowing for other actors and institutions the same benefit of the doubt they reserved for the artworks in question. Spain and other countries still exhuming their dead in a hostile cultural context may learn from Germany’s *memoria histórica*, but make no mistake, it’s still far from perfect.