



Law, Antisemitism and the Holocaust (Glasshouse)

David Seymour

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Whilst an increasing amount of attention is being paid to law's connection or involvement with National Socialism, less attention is focused upon thinking through the links between law and the emergence of antisemitism. As a consequence, antisemitism is presented as a pre-existent given, as something that is the object, rather than the subject of study. In this way, the question of law's connection to antisemitism is presented as one of external application. In this ironic mimesis of the positivist tradition, the question of a potentially more intimate or dialectical connection between law and antisemitism is avoided. This work differs from these accounts by explaining the relationship between law and antisemitism through a discussion of these issues by critical thinkers from the mid-nineteenth century to the present; that is, from Marx to Agamben through Nietzsche, Sartre, Adorno and Horkheimer, Arendt and Lyotard. Despite the variety that exists between each thinker, one particular common critical theme unites them. That theme is the connections they make, in diverse ways, between legal rights as an expression of modern political emancipation and the emergence and development of the social phenomenon of antisemitism.

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