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To → Stakeholders & Concerned Parties

Re → Explainer: Arguments Against the IHRA Definition

Contents

[Summary: The campaign to adopt and implement the IHRA definition is bad for Jews and Palestinians, and for human and civil rights.](#)

[Background](#)

[Key Arguments](#)

- / [A.](#) At a time of surging antisemitism around the world, the campaign to adopt and implement the IHRA definition undermines the fight against antisemitism.
- / [B.](#) There is broad opposition to the adoption of the IHRA definition.
- / [C.](#) The Israeli government and its allies are promoting the use of the IHRA definition in order to curtail protected free speech.
- / [D.](#) The IHRA definition has become a favorite tool of anti-democratic forces while failing to stem antisemitism.

[Appendix 1:](#) List of organizations & individuals against the adoption of the IHRA definition

[Appendix 2:](#) Examples of the use of the IHRA definition to censor & penalize pro-Palestinian speech & activism

[Resources](#)

Summary

The term antisemitism describes age-old, conspiracy-driven animosity toward Jews as a racial or a religious group, which often scapegoats them for societal ills or perceived evils in the world. Yet even as most scholars of antisemitism and Jewish history might agree on this loose framing, there is equal consensus that nailing down a formal definition of antisemitism is hugely challenging because of its mutable nature and the different guises it has taken throughout history.

The campaign to adopt the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism (hereafter: IHRA definition) exploits that consensus and weaponizes it against the Palestinian freedom movement. Proponents of the IHRA definition have used it to reframe legitimate criticism of well-documented Israeli state violence against Palestinians as anti-Jewish bigotry, and in so doing, to silence critics of the State of Israel and of Zionism. This campaign has taken precedence over advancing the fight against actual antisemitism at a time of rising right-wing extremism around the globe. Moreover, it has been used as cover for those who promote or tacitly encourage antisemitism at home, by providing them with a low-stakes and largely cosmetic avenue for arguing they are protecting Jews by adopting a measure popular with Israeli government advocates.

The campaign to adopt and implement the IHRA definition is ultimately bad for Jews and Palestinians, and for human and civil rights. Moreover, the IHRA definition is prone to being adopted by institutions and governments as a “quick fix” to antisemitism, precluding the more complex and long-term project of identifying the root causes of anti-Jewish bigotry and working to dismantle them.

Background

The IHRA definition was formulated in the early 2000s under the auspices of a European body tasked with monitoring racism, and was intended to assist with identifying antisemitic incidents. However, the definition vaguely cites certain types of criticism of the State of Israel and of Zionism as examples of antisemitism, which can be broadly interpreted to delegitimize any critical speech on Israel. Of the 11 examples of antisemitism given in the definition, [seven relate to Israel](#). This facilitates smearing critics of Israel — most often Palestinians — as antisemites, exposing them to potentially grave professional, personal, and legal consequences. **Moreover, it creates confusion about what antisemitism is — and is not.**

Since 2017, an [array](#) of governments, governing bodies, political parties, educational institutions, and even sports teams around the world have adopted the IHRA definition, driven by considerable investment by pro-IHRA actors. Advocates of the IHRA definition point to its increasing uptake as a means of pressuring other actors to adopt it, on the grounds that failure to do so constitutes

disregard for Jewish safety. Ongoing campaigns to broaden the application of the IHRA definition include those targeting [social media companies](#) and [legacy media outlets](#), as well as the continued push to have the definition codified at the state level in the United States.

Around the world, the adoption of the IHRA definition has had **a concerted chilling effect on speech critical of Israel**, including legal action used to tarnish the reputations of Palestine advocates and intimidate others from speaking out.

Key arguments

A. At a time of surging antisemitism around the world, the campaign to adopt and implement the IHRA definition undermines the fight against antisemitism.

The IHRA campaign harms Jews by undermining the struggle against antisemitism and isolating it from other forms of oppression, while also hurting Palestinians and allies in the Palestinian freedom movement. A singular strategy cannot effectively combat antisemitism, and the push to implement the IHRA definition does not constitute an expansive and collaborative effort to fight anti-Jewish prejudice.

- / The IHRA definition's conflation of antisemitism with speech on Palestine, and its lack of concrete examples of actual antisemitic speech and imagery, are hampering efforts to advance broad literacy around antisemitism and how to identify it.
- / Meaningfully combating antisemitism must include both fighting its impact on Jews and fighting its sibling evils: racism, Islamophobia, xenophobia, and ethnonationalism, and addressing the underlying conditions, such as economic inequality, that fuel these harmful conspiracies. The popularity of the IHRA definition among far-right government actors directly harms this goal.
- / Having a singular definition for antisemitism when no such singular definition exists for any other form of oppression further isolates antisemitism from other forms of oppression, and Jews from other oppressed groups. This excludes Jews from the broader vision of equity, belonging, and justice for all that many governments and organizations of all kinds have committed to working toward.
- / Codifying the IHRA definition in contexts where existing laws already protect Jews against antisemitism is not only unnecessary, but threatens to both undermine the existing, inclusive set of protections, and to fuel antisemitic ideas among other targeted groups about Jews receiving special treatment from governments.

- / To avoid siloing efforts to combat antisemitism, advocates should seek to increase education on antisemitism's role in and critical connection to other systems of oppression, including white Christian nationalism and anti-Black racism. Critics of the IHRA definition [note](#) that cordoning off the fight against antisemitism is counterproductive.

B. There is broad opposition to the adoption of the IHRA definition

While its backers frame the IHRA definition as apolitical, non-partisan, and backed by a consensus, the opposite is true. The IHRA definition is the source of deep controversy, criticism, and debate across the Jewish community and beyond – including among Palestinians, academics, and free speech advocates.

- / See [Appendix 1](#) for list of examples

C. The Israeli government and its allies are promoting the IHRA definition in order to curtail protected free speech

The IHRA definition's vagueness and over-emphasis on speech and action regarding Israel are ripe for exploitation by Israel's government and its supporters.

- / The Israeli government has [heavily promoted](#) the [IHRA definition](#) and its [adoption](#) by governments and other entities since the definition was formulated in 2016. It has also used the definition as the [basis](#) for attacking the boycott, divestment, and sanctions (BDS) movement as antisemitic – including in order to pass legislation outlawing Israel boycotts.
- / Even where it has been adopted as *legally non-binding*, the IHRA definition has enabled bad faith accusations that have primarily served to [chill and criminalize](#) free speech and activism on Israel-Palestine.
- / The use of the IHRA definition has aided broader, intensifying efforts by supporters of the Israeli government to attack and delegitimize Palestinian identity, narratives, and activism.
- / As its adoption and implementation spreads, the IHRA definition has already been implicated in numerous instances of censorship, dismissal, and other retaliatory measures against Palestinians and Palestine advocates.

D. The IHRA definition has become a favorite tool of anti-democratic forces while failing to stem antisemitism

Although the IHRA definition is cited as a powerful tool to fight antisemitism and limit the impact of antisemitic actors, it has failed to materially reduce anti-Jewish prejudice. It has also been promoted by far-right actors seeking to whitewash their own record of antisemitism.

- / Where it has been adopted thus far, the IHRA definition has [not led](#) to a [decrease](#) in antisemitic violence or hate speech. It has primarily served to silence legitimate criticism of Israel and to criminalize and otherwise undermine political expression in support of Palestinian freedom (see [Appendix 2](#) for examples).

- / It has been used by racist, ultra-nationalist actors as cover for their own antisemitism
 -) The Hungarian government — led by [Viktor Orbán](#), a leader of the resurgent global far right and a frequent proponent of antisemitic conspiracy theories — [declared](#) it would begin incorporating the IHRA definition into its own practices.
 -) The Trump administration, which oversaw a rapid rise in antisemitic terror attacks and other hate crimes, while helping mainstream antisemitism in the Republican Party, heavily promoted the IHRA definition and drove through its implementation at the federal level.
 -) The Polish government, amid a long-term, state-sponsored trend of Holocaust revisionism, recently [endorsed](#) the IHRA definition.

Appendix 1: List of organizations & individuals against the adoption of the IHRA

- / [Kenneth Stern](#), who is the lead author of the IHRA definition, has said it was created as a means of classifying antisemitic hate crimes in Europe and not intended as an enforcement or legal tool. He is on record opposing its adoption as such.
- / [Over 350 scholars](#) of antisemitism, Jewish history, the Holocaust, and other related areas of study — including experts on and defenders of Americans’ First Amendment free speech rights — have criticized the IHRA definition. Other statements by groups of scholars can be found [here](#) and [here](#).
- / [122 Palestinian and Arab academics, journalists, and intellectuals](#) voiced their disagreement with the IHRA definition, and their opposition to how it has been deployed “to delegitimise the Palestinian cause and silence defenders of Palestinian rights. Diverting the necessary struggle against antisemitism to serve such an agenda threatens to debase this struggle and hence to discredit and weaken it.”
- / [128 scholars](#) of antisemitism, the Holocaust, and modern Jewish history wrote an open letter warning the UN against adopting the IHRA definition.
- / [The American Association of University Professors](#) condemned efforts to promote the IHRA definition and warned of the threats it poses to free speech and academic freedom.
- / A spectrum of Jewish groups is on record opposing the formal adoption of the definition:
 -) In North America: [The Progressive Israel Network](#), a leading coalition of progressive, pro-Israel organizations; [Bend the Arc](#), the leading national progressive Jewish voice; [Jewish Voice for Peace](#), the leading Jewish anti-Zionist organization in the United States; and [Independent Jewish Voices](#), a Canadian grassroots, progressive group that advocates for justice and equality in Israel-Palestine. [The Reform Movement](#), the largest religious movement of Jews in the United States, and the [National Council of Jewish Women](#) both oppose the codification of the IHRA definition, even as they endorse the definition itself.^z
 -) In Europe: [Union Juive Française pour la Paix](#) (France), a leading French progressive Jewish group; [Jüdische Stimme für gerechten Frieden im Nahost e.V.](#) (Germany), the German arm of [European Jews for a Just Peace](#).
 -) Israel-Palestine: [Coalition of Women for Peace](#), a long-running feminist anti-occupation movement; [Academia For Equality](#), an activist network of Israeli and Palestinian academics.

- / Leading Palestinian and human and civil rights groups have also come out [against the IHRA definition](#) — including [Palestine Legal](#), [Human Rights Watch](#), the [American Civil Liberties Union](#), the [Center for Constitutional Rights](#), the [National Lawyers Guild](#), and the [European Legal Support Center](#).

Appendix 2: Examples of the use of the IHRA definition to censor & penalize pro-Palestinian speech & activism

- / Universities, particularly in the United States and the U.K., have served as a trial balloon for the weaponization of the IHRA definition against the Palestinian freedom movement, targeting students, staff, and faculty who speak out against Israeli oppression.
 -) A British university [suspended](#) a Palestinian academic following attacks on her Palestine activism in the wake of the institution adopting the IHRA definition, before reinstating her.
- / The IHRA definition has been cited in the United States in Republican-led efforts to cut [funding](#) to Middle East Studies university departments.
- / German public broadcaster Deutsche Welle [fired](#) seven Arab journalists in the wake of an internal investigative report into antisemitism in its workplace, which relied on the IHRA definition; so far two of the dismissals have been [ruled unlawful](#), and a third case has been settled.
- / Under the Trump administration, the U.S. State Department unsuccessfully [sought to label](#) leading human rights organizations as antisemitic, based on the IHRA definition, in an effort to restrict federal funding to them.
- / Austrian cultural institutions [disinvited](#) a Palestinian academic from a curatorial program over false accusations of antisemitism informed by the IHRA definition.
- / In the Netherlands, the IHRA definition has been [repeatedly invoked](#) to smear individuals and groups working for Palestinian rights as antisemitic.
- / An Israeli diplomat in the United States tried to [pressure](#) New York's Bard College to drop a course on apartheid in Israel-Palestine, claiming that it violated the IHRA definition.

Resources

- / [The IHRA Working Definition of Antisemitism](#)
- / [The Jerusalem Declaration on Antisemitism](#)
- / [Nexus Task Force Guide to Identifying Antisemitism](#)
- / **Palestine Legal**, [Distorted Definition](#): Redefining Antisemitism to Silence Advocacy for Palestinian Rights
- / **Lara Friedman**, [States Are Moving to Class Criticism of Israel as Antisemitism](#), *Jewish Currents*, Feb. 20, 2020
- / **Foundation For Middle East Peace**, [IHRA Resource Page](#) & [IHRA database](#)
- / **European Legal Support Center**, The European Commission “Handbook” Promoting the Controversial IHRA Working Definition of Antisemitism: [A Legal Analysis](#)
- / **Amos Goldberg and Raz Segal**, [Distorting the definition of antisemitism to shield Israel from all criticism](#), *+972 Magazine*, August 5, 2019
- / **David Feldman**, [The Government Should Not impose a faulty definition of antisemitism on universities](#), *The Guardian*, December 2, 2020
- / **Liora Halperin**, [King County should not adopt antisemitism definition used to censor speech](#), *Seattle Times*, January 23, 2023
- / **Natasha Roth-Rowland**, [Waging Lawfare](#), *Jewish Currents*, June 8, 2020
- / **Peter Ullrich**, [Expert Opinion on the “Working Definition of Antisemitism,”](#) *Rosa Luxemburg Foundation*. March, 2019
- / **Tareq Baconi**, [A colonized Palestine isn’t the answer to the world’s guilt](#), *+972 Magazine*, June 20, 2022
- / **Canadians for Justice and Peace in the Middle East**, [IHRA’s True Intentions](#), December 2022
- / **Independent Jewish Voices Canada**, [Unveiling the Chilly Climate: The Suppression of Speech on Palestine in Canada](#), October 2022