



IHRA
(International Holocaust Remembrance Alliance)
Definition of Antisemitism for NJ



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of Northern New Jersey

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IHRA (International Holocaust Remembrance Alliance) Information

If you have a question not covered by this information, do not assume the answer and please reach out! The purpose of this packet is to educate you and your colleagues about the IHRA Definition, the need for its implementation in NJ, and answers to common questions regarding IHRA.

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1) Overview IHRA Definition

In 2016, the International Holocaust Remembrance Alliance (IHRA), an organization of thirty-one countries, formally adopted the IHRA Working Definition of Antisemitism, also known simply as either IHRA or the IHRA Definition. It offers a clear and practical definition based on real world examples of how antisemitism occurs in multiple and varied forms, including some relating to Israel. At the same time, the definition and its guidance provide that its usage and application depend on the context of the statements or actions. It also states that criticism of Israel is not antisemitic.

The IHRA Definition is as follows:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.”¹

Over the years, IHRA has been recommended and employed by dozens of national governments and international organizations, including the European Commission, the United Nations Secretary General, the OSCE (Organization for Security and Cooperation in Europe), and the US Department of State. In the process it has become by far the most recognized and applied definition of antisemitism in the world today and de facto the “authoritative” one.

¹ <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>



2) Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany/Nazi Party and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel, Nazi Swastikas or other Holocaust imagery) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

3) Origins of the Definition of IHRA:

- Developed in 2004, responding to a resurgence of antisemitism in Europe, a need to describe antisemitism in all its forms, essential to define antisemitism to enable governments (and others) to identify it and combat it.
- Drafted with the input of (Jewish) scholars and practitioners, to include practical examples for everyone to understand, including the “new antisemitism,” namely, antisemitism as it relates to Israel.
- Adopted by the European Monitoring Centre on Racism and Xenophobia (EUMC) and issued in 2005, as the Working Definition of Antisemitism.
- In May 2016, formally adopted by the International Holocaust Remembrance Alliance, and now referred to as the IHRA Working Definition.
- With multiple endorsements and recommendations by international organizations and over a score of national governments, recognized today as the “authoritative” definition of Antisemitism.

4) Value of promoting its adoption in New Jersey and Reasons to Adopt IHRA

- Educational tool to assist local/state/national authorities who are responsible for identifying and combating antisemitism including police, prosecutors and judges (when antisemitism is a factor in criminal acts), and monitors and data collectors of antisemitic crimes and hate speech.
- Enabling the general public to understand the multidimensional nature of antisemitism today.
- Adopting IHRA falls in line with President Biden’s, Governor Murphy’s, and Attorney General Platkin’s plans to address antisemitism.

- Jews, like any group, deserve to live a life free of discrimination and harassment based on their ethnicity and faith.
- Many groups manipulate or eschew widely accepted definitions of antisemitism and their adoption because it allows them to continue trafficking in hate speech as opposed to legitimately structured arguments.
- We support the adoption of legal definitions of Islamophobia, homophobia, racism, and more.
- IHRA does not stifle or infringe on free speech, it simply forces individuals to not utilize biased and antisemitic shorthand to make arguments and criticisms.
- IHRA has been adopted in:
 - **States:** As of April 2023, 31 states plus the District of Columbia, either through proclamation, executive order, or legislation, are using or have recognized the importance of the IHRA Definition: Alabama; Alaska; Arkansas; Arizona; Connecticut; Florida; Idaho; Iowa; Kansas; Kentucky; Louisiana; Maine; Massachusetts; Montana; Nebraska; Nevada; New Hampshire; New Mexico; New York; Ohio; Oklahoma; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Vermont; Virginia; and West Virginia.
 - **NJ Municipalities:** Highland Park; Woodcliff Lake; Clinton; Westfield; Scotch Plains; Fanwood; Middletown; Flemington; Brigantine; Princeton; Livingston.
 - **Global Countries:** Albania; Argentina; Australia; Bosnia; Bulgaria; Canada; Colombia; Croatia; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Guatemala; Hungary; Israel; Italy; Latvia; Lithuania; Luxembourg; Moldova; Netherlands; North Macedonia; Philippines; Poland; Portugal; Romania; Serbia; Slovakia; Slovenia; South Korea; Spain; Sweden; United Kingdom; United States; Uruguay.

5) Common Questions about IHRA

○ Does this definition prioritize Jewish people over other minorities?

Some have argued that recommending adoption of the definition gives Jews a privileged position over other minority groups. This is not only not true; but we are also advocating for definitions given to racism, homophobia, misogyny, and Islamophobia, among others.

The definition is a tool meant to educate and identify what constitutes contemporary antisemitism.

It, unfortunately, does not provide more protection for Jewish people than other minorities, nor does it take away rights from anyone else. The ability to name a form of bigotry does not equate to privilege; it should be a right for any and all oppressed groups.

○ Can the IHRA Definition be misused?

Yes, any definition, law, or policy can be misused.

That does not negate the need or importance for the adoption of IHRA in NJ. If anything, it underscores the importance of combating antisemitism and other forms of bigotry and bias. This is also why this guide provides and analyzes various examples of antisemitism as defined by IHRA and what does or does not apply under IHRA to guide its usage.

IHRA is first and foremost an educational tool to explain the different forms antisemitism may take today. However, even though it defines antisemitism as it relates to Israel, IHRA does not automatically consider even harsh criticism of Israel to be antisemitic. Those who would employ the definition to automatically squelch anti-Israel speech or activities without regard for context are misusing it.

The IHRA Definition is a flexible tool--its examples are intended to be considered in context when antisemitism may be present and can be applied to vastly different situations around the world. It should not be applied selectively to serve only one group's partisan interests.

○ **Does the IHRA Definition limit free speech?**

There are those who say the IHRA Definition risks limiting constitutionally protected speech or creates a "chilling effect" on free speech, particularly with regard to criticism of Israel. This is simply not true.

The definition is foremost a flexible educational tool to help people recognize antisemitism.

In the United States the First Amendment protects all speech, including racist, xenophobic, homophobic, and antisemitic speech. But understanding all these forms of intolerance is important, whether in promoting civil discourse in public settings and on social media or, for example, in determining the bias motivation of hate crimes that are punishable under the law.

There will continue to be vigorous debates on college campuses and elsewhere between those who would impose speech codes to limit offensive speech and those who assert that even the most abhorrent views should be given a platform. A proper definition of antisemitism, just like a definition of racism or homophobia, can help inform this debate, but it does not resolve it nor even tip the scales.

The definition is helpful, however, when speech leads to an intolerant or criminal act – e.g. in identifying a hate crime or determining a pattern of harassment. The definition acts as a resource to point to in proving someone has or has not been a victim of antisemitism.

Bottom line is if people cannot criticize Israel without relying on antisemitic tropes and stereotypes, then they are more than likely criticizing Israel for the wrong reasons and with antisemitic bias playing a role.

Manifestations might include the targeting of the State of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

○ **Is the IHRA Definition just a tool to label criticism of Israel antisemitic?**

Using the above as a guide, the answer again is no.

When the definition was drafted, it sought to distinguish between legitimate criticism of Israel and attacks on Israel that are instead antisemitism in disguise. It states, "criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic." Its careful wording leaves a wide berth for sharp and vigorous criticism of Israel's government and policies.

However, it does assert that drawing analogies between Israel and the genocidal policies of the Nazis is not criticism but antisemitism. Additionally, by accusing Israel to be a “racist endeavor,” one is denying its very legitimacy (antisemitism); something quite different from accusing it of promoting racist policies (criticism). Holding Israel to a standard not expected of any other democratic state is unfair and frequently antisemitic.

The basic distinctions are readily apparent, even if the exact dividing line is not always precisely marked. That is why, as the definition notes, the context matters. In addition, a targeted focus on the Israel examples ignores the many other forms of antisemitism and their examples which constitute the majority of the definition.

Ironically, the European Union has endorsed the definition and a majority of EU Member States have adopted it, even as many of these same nations and the EU itself are frequently among the harshest critics of Israel in the democratic world. This should demonstrate there is no contradiction between the two and that the IHRA Definition does nothing to quash criticism of Israel.

○ **Why does this definition focus so much on Israel?**

In the early 2000s, there was a resurgence of antisemitism in Europe that differed from the traditional understanding of the term. While far-right, xenophobic antisemitism still existed, European Jews were also being attacked as “agents of Israel,” and Jewish sites were vandalized in response to Israeli actions. While these acts were still sometimes criminalized, they were not called antisemitic, as they were viewed as anti-Israel activism. Therefore, an international, nonpolitical group of policy and academic experts worked to create a non-legally binding text that reflected forms of antisemitism as related to the State of Israel.

In addition, some opponents of the definition have stated the entire purpose of the definition is only to shield Israel from criticism, arguing most of the examples with the definition focus on Israel. Five of the six examples that mention Israel, however, also mention Jews as a whole. These include examples such as “accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust” or “holding Jews collectively responsible for actions of the state of Israel,” not about Israel explicitly.

○ **Is it true that the IHRA Definition considers anti-Zionism; the Boycott, Divestment, and Sanctions (BDS) movement; and/or holding Israel to a double standard as antisemitism?**

No. Context matters.

1. Anti-Zionism: Since Israel’s founding in 1948, Zionism has generally referred to support for the State of Israel. There have been efforts to challenge Israel’s right to exist by claiming that the movement that led to its creation and supports it, namely Zionism, is itself illegitimate.

Such was the case in 1975, when the Soviet Union and its satellite states together with Arab nations led efforts in the United Nations General Assembly to pass the notorious *Zionism is Racism Resolution*. In 1991, after the fall of Communism, this resolution was revoked--one of only two UN resolutions to ever be revoked.

The Zionism is Racism canard has frequently been repeated. When it and other anti-Zionist expressions are used to deny the very legitimacy of the State of Israel, they are a form of antisemitism.

2. BDS: Proponents of the Boycott, Divestment, and Sanctions (BDS) movement claim that it is a non-violent political movement to oppose Israeli policies and support Palestinian rights. There is ample reason to debate the wisdom and efficacy of BDS as a means to change Israeli policy or increase Palestinian rights.

But this cannot be said if the goal and purpose of those BDS proponents is to deny Israel's right to exist. This is underscored by the founder of the BDS movement, Omar Barghouti, who said, "We oppose a Jewish state in any part of Palestine. No Palestinian, rational Palestinian, not a sell-out Palestinian, will ever accept a Jewish state in Palestine."

So, while BDS itself is not labeled antisemitism in and of itself, one may engage in BDS for antisemitic reasons or motivations.

3. **Double standards:** The definition also states that "applying double standards" to Israel or expecting a behavior "not demanded of any other democratic nation" may be antisemitic, depending on the context.

We have every right to expect more from democracies that adhere to the universal values of rule of law and human rights. Some would say that criticizing these states, including Israel, when they depart from these norms is even our obligation. The IHRA Definition emphasizes that criticism of Israel is not antisemitic.

However, it also acknowledges another reality: There are those who are single-minded in focusing their antagonism on Israel without any interest or concern to apply them elsewhere. The inordinate focus of the UN Human Rights Council on Israeli behavior, often to the exclusion of criticizing far more egregious human rights violators, is one such example.

○ **Does the IHRA Definition impose a special burden on those promoting the rights of Palestinians?**

As explained above, the definition does not preclude criticism of Israel and its policies. It does, however, clearly delineate what constitutes antisemitism.

This definition is not meant to label Palestinians antisemitic or silence pro-Palestinian activism. Palestinians and allies should absolutely be allowed to advocate for their rights. Where the definition could come into play is if a pro-Palestinian activist chooses to describe the Palestinian experience in antisemitic ways, e.g. blaming all Jews for Israeli government actions, equating Israelis with Hitler and/or Nazis, or saying Israel does not have a right to exist as a Jewish state in any capacity (i.e. Jews do not have the right to national self-determination).

It should again be pointed out that the definition is not just focused on examples of antisemitism in the context of Israel. The definition should not just be used with regards to Israel, but about fighting antisemitism in all its forms, as the myriad of examples show.

○ **Does this definition address white supremacy?**

There is a misconception that the definition does not address white supremacy and its link to antisemitism, and only focuses on labeling anti-Zionism as antisemitism. This is not true. In fact, the first example used in the addendum in the definition is as follows: "Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion."

White supremacy absolutely falls under a 'radical ideology.' Additionally, many of the other examples used are seen in white supremacist beliefs, like the Holocaust being exaggerated and Jewish people controlling the media. Using the IHRA Definition may help in these cases by determining a white supremacist committed an antisemitic hate crime, on top of the criminal action itself (i.e. assaulting someone perceived to be Jewish).



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