

# **PIN Groups Oppose Codification of IHRA Working Definition of Antisemitism**

## **STATEMENT**

### **PIN Groups Oppose Codification of IHRA Working Definition of Antisemitism, Citing Strong Potential for Misuse**

This statement was issued by the members of the Progressive Israel Network: Ameinu, Americans for Peace Now, Habonim Dror North America, Hashomer Hatzair World Movement, Jewish Labor Committee, J Street, New Israel Fund, Partners for Progressive Israel Reconstructing Judaism, and T'ruah.

As organizations that care deeply about the State of Israel and about the wellbeing of the Jewish people, we are deeply committed to the struggle against antisemitism. We are thus obligated to share our concerns about ways in which the effort to combat antisemitism is being misused and exploited to instead suppress legitimate free speech, criticism of Israeli government actions, and advocacy for Palestinian rights. In particular, the effort to enshrine in domestic law and institutional policy the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism, with its accompanying "contemporary examples," risks wrongly equating what may be legitimate activities with antisemitism.

This effort has created opportunities for abuse and politicization by the outgoing Trump administration and others, undermining the moral clarity of the effort to dismantle antisemitism.

We respect the original creation of the IHRA Working Definition as an illustrative tool and as part of a larger and ongoing conversation about the nature of antisemitism. While we maintain no substantive objection to the core definition itself, our concern with its adoption as a legal tool is with the IHRA definition's "contemporary examples," which have been included as integral to the definition. We fear its adoption in law or policy at the state, federal and university level and in corporate governance has the potential to undermine core freedoms, and in some cases already has. For this reason, the Progressive Israel Network opposes the codification in US law or policy of the IHRA Working Definition of Antisemitism.

There can be no doubt that some anti-Zionists and critics of Israeli policy can sometimes cross the line into antisemitism – and they must be confronted when they do. Yet, Secretary Pompeo's State Department unambiguous declarations that "anti-Zionism is anti-Semitism" and that "the Global BDS Campaign [is] a manifestation of anti-Semitism" represent a harmful overreach. This overreach, which is primarily aimed at shielding the present Israeli government and its occupation from all criticism, is made possible by

the use of the Working Definition's "contemporary examples." The examples regard as antisemitic the claim that "the existence of a State of Israel is a racist endeavor" and the application of "double standards" to Israel "by requiring of it a behavior not expected or demanded of any other democratic nation."

We are advocates for a future of equality, dignity and safety for all Israelis and all Palestinians. As such, we insist that activists, academics and all citizens must have the right to express a wide range of political opinions without fear of being suppressed or smeared by the government. This includes critiques of the legitimacy of Israel's founding or the nature of its laws and system of government, even when we may disagree – sometimes passionately – with those opinions. These debates are critical for democracy and accountability. They belong in the realm of public discourse and must not be banished by anti-democratic laws or penalties.

We must express our alarm when the U.S. State Department proposes to blacklist non-violent activists and human rights organizations, who are targeted simply because they document abuses or oppose the Israeli occupation of Palestinian territory. Throughout its tenure, the Trump administration has shown a disturbing eagerness to deploy spurious accusations of antisemitism as a cudgel to attack its political opponents.

Kenneth Stern, the renowned antisemitism expert who drafted the original definition and examples from which the IHRA definition is derived, has written that it was never intended to be used as a sweeping, all-purpose hate speech code and that its use as such by the Trump administration and rightwing Jewish groups "is an attack on academic freedom and free speech."

The incoming Biden administration rightly makes clear that it intends to make the fight against rising antisemitism a high priority. Now there is an opportunity to change course. We encourage the new administration and the new Congress to pursue a comprehensive strategy that takes on all forms of antisemitism and extremist hate, and which does not ignore the surging danger and violence of the white nationalist, antisemitic far right. In doing so, both the Biden administration and Congress should reject facile, oversimplified doctrines that can easily be abused. They should refrain from legislating bans on constitutionally-protected speech and legitimate activism, which often wrongfully target those who harbor no hatred towards Jews, and which make it more difficult to identify and confront genuine instances of antisemitism.