

Pete W. Moore, 12/10/24

The proposed bill, SB 297, under consideration by the Judiciary Committee attempts to put The International Holocaust Remembrance Alliance's (IHRA) definition of antisemitism into state law and attach that definition to heightened criminal penalties for the crime of ethnic intimidation. I strongly caution against adoption of this definition as I have grave concerns about the "Contemporary Examples of Antisemitism" that accompany the IHRA definition of antisemitism.

Let me say that I am deeply distressed by the rising tide of racism, xenophobia, and antisemitism in North America and around the world, and I firmly believe that combatting antisemitism and all other forms of racism, bigotry, and discrimination is an essential duty of public officials. However, some elements of the "Contemporary Examples" accompanying the IHRA definition broaden the definition of antisemitism – properly understood as hostility toward, hatred of, and/or discrimination against Jews – to encompass legitimate criticism of and opposition to Israel, its policies, and/or Zionism as Israel's official state ideology, thereby posing a threat to free speech and academic freedom.

By conflating criticism of Zionism and Israel, and advocacy and activism informed by such criticism, with antisemitism, these elements of the "Contemporary Examples" facilitate the delegitimization, and potential sanctioning, of certain political perspectives and those who express them as manifestations of antisemitic bigotry or hatred. These examples and their translation into policy by government agencies thus threaten the constitutionally protected right to free speech. By exerting a chilling effect on research and teaching about, as well as public discussion of, the Israeli-Palestinian conflict on college and university campuses, they also undermine the academic freedom so vital to the mission of our state's institutions of higher education.

Scholars and others have formulated much more coherent, reasonable and productive ways of distinguishing between anti-Semitism, on the one hand, and criticism of Israel and of Zionism, on the other: for example, please see the [Jerusalem Declaration on Antisemitism](#) and [the report](#) developed by the Association for Jewish Studies Task Force on Antisemitism and Academic Freedom.