

## Testimony in Opposition to Adoption of IHRA Definition of Antisemitism in SB 297

Ohio Senate Judiciary Committee  
December 11th , 2024

Written Testimony in Opposition to Adoption of IHRA Definition of Antisemitism in SB 297

Dear Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and Members of the Senate Judiciary Committee,

As a Jewish citizen of Ohio, it is my honor to submit written testimony regarding SB 297.

My name is David Shutkin. I am Jewish, a professor of education and an anti-occupation activist living in Cleveland, Ohio. Through the years, my relationship with Zionism has changed. While I initially supported aspects of Zionism as a response to antisemitism and as a potential solution for Jewish statehood, I've become increasingly critical of certain ideological and political aspects of Zionism, particularly after the Israeli invasion of Lebanon in 1982. Today, I am an anti-Zionist. As the renown philosopher Judith Butler (2012, 24) exclaims most succinctly,

*Zionism has never found justification in principles of political equality and, for that reason, has never approached a substantive condition of democracy. One cannot find solutions within its terms, since the terms require and extend the nation-state on the basis of the subordination, destruction, or expulsion of the indigenous.*

The IHRA (International Holocaust Remembrance Alliance) working definition of antisemitism, adopted in 2016, includes language that has sparked significant debate, particularly regarding its inclusion of examples linking antisemitism to criticism of Zionism or Israel. While the definition aims to provide clarity about antisemitism, along with many critics, in this testimony I argue that it conflates legitimate criticism of Israel with hatred of Jews, potentially stifling free speech and undermining efforts to address antisemitism. For these reasons, I urge this esteemed body to remove the IHRA definition of antisemitism from SB297.

As a child growing up in a Jewish home with affiliation with the Reform Movement, I was socialized to embrace the idea of a Jewish homeland as a means to provide safety and dignity to Jews following centuries of persecution, culminating in the Holocaust. As most of my family that remained in Europe during World War Two perished in Nazi concentration camps, I was socialized to believe unequivocally that only a Jewish state could effectively address the urgent need for Jewish security. Indeed, I attended Jewish summer camps, belonged to Zionist youth groups, went to high school in Israel and lived in a Jewish co-op at the University of Wisconsin. As Jewish people, my parents and several of my sisters took advantage of the Jewish Law of Return and were given immediate citizenship and much economic support when they moved to Israel in the 1980's.

However, today I am fearful of the ethnonationalism informing political Zionism as advocated by historical figures such as Theodor Herzl, Chaim Weizmann and David Ben-Gurion. In fact, I have come to believe that the Jewish state defined by exclusive national identity has perpetuated the same hatred that had marginalized Jews in Europe.

I am deeply concerned about the exclusivity of the Zionist state as Israel has perpetuated a cycle of nationalism and violence fostering conflict with the Palestinian people living there. Indeed, Zionism has failed to address the presence and rights of the indigenous Palestinian population. In Gaza and the occupied West Bank, the Zionist state has not sought genuine cooperation or coexistence with the

Palestinian people. Instead, the Zionist state through the violence and the humiliations of the occupation has perpetuated conflict and hatred. Indeed, the Jewish state has created an insular society, alienating Jews within the global community and isolating us in a hostile regional environment in the Middle East.

As a Jewish nonviolent activist, I have traveled to Palestine six times since 2014. Together with other international Jews, Israeli and Palestinian activists, I engage in solidarity activism organized with and led by our Palestinian partners in East Jerusalem and the West Bank. Based on these experiences, and years of engaged conversation, study and activism, I remain deeply critical of the militarization of the Zionist movement that began before and continues since the establishment of the Jewish state following the 1948 Arab-Israeli War and Palestinian Nakba.

Furthermore, I believe that reliance on military force to secure and maintain the state's existence contradicts the moral and ethical principles of Judaism and has led to the oppression of the Palestinian people. Indeed, Zionism's focus on power and sovereignty compromises the universal, ethical values I associate with Jewish ritual and tradition. On these grounds, I reject the notion that Jews, having suffered so much persecution, are entitled to a state at the expense of another people. I view this as a dangerous form of exceptionalism that mirrors the exclusionary logic of the nationalism in Europe that led to the Holocaust.

Israel's focus on Holocaust memory as a unifying national principle overshadows broader ethical and political considerations, including Israel's systematic destruction of the Palestinian people. This is evidenced by the killing of more than 40,000 Palestinian people, the destruction of Gaza and the extension of unchecked violence and ethnic cleansing by recently armed Zionist settlers in the West Bank.

The IHRA definition describes antisemitism as: "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." Included are eleven (11) illustrative examples, several of which involve Israel, such as: "Denying the Jewish people their right to self-determination (e.g., by claiming that the existence of the State of Israel is a racist endeavor)." And, "Applying double standards by requiring of Israel a behavior not expected or demanded of any other democratic nation." In these ways, the IHRA definition conflates Antisemitism and criticism of Israel blurring the line between genuine antisemitism, which involves prejudice or hatred toward Jews, and legitimate political criticism of the State of Israel, its policies, or Zionism as an ideology.

Clearly, as an anti-Zionist and anti Israeli occupation activist, I oppose Zionism not out of antisemitic intent, but due to its political implications (e.g., the displacement and dispossession of Palestinians and ethnic nationalism, including a dual legal system with laws that establish privileges and benefits for Jewish people alone). Equating this opposition with antisemitism delegitimizes valid political discourse. Demonstrating how Israel's policies or founding ideology are discriminatory—especially with regard to Palestinians—is a political critique that is not inherently antisemitic.

The IHRA definition delegitimizes Palestinian lived experiences and struggles by framing critiques of Zionism as antisemitic. For example: Describing the Nakba (1948 displacement of Palestinians) or calling for a binational state may be perceived as denying Jewish self-determination. Movements like Boycott, Divestment, Sanctions (BDS) have been labeled antisemitic under the IHRA framework, despite their focus on political activism.

The use of the IHRA definition to police Israel-related discourse overshadows the broader struggle against discrimination and hatred targeting Jewish people and dilutes the focus on combating genuine antisemitism, including hate crimes, conspiracy theories, and Holocaust denial.

In response to the IHRA definition, scholars and activists proposed the Jerusalem Declaration on Antisemitism (JDA, 2021) as a clearer and more precise alternative. The JDA affirms that criticism of Israel or Zionism is not inherently antisemitic and provides more detailed guidelines to distinguish between antisemitism and legitimate political discourse.

The IHRA definition aims to provide clarity about antisemitism. Instead it conflates legitimate criticism of Israel with hatred of Jews. This has the potential to stifle free speech and undermine efforts to address real forms of antisemitism. For these reasons, I urge this body to remove the IHRA definition of antisemitism from SB297.

David Shutkin  
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