

Testimony in Opposition to Adoption of the IHRA Definition of Antisemitism as Proposed by SB 297

December 11th, 2024

To the members of the Senate Judiciary Committee,

I'm writing to you today in opposition of SB 297 and begin my testimony with recognizing the dangers of conflating two separate concepts that are distinct in nature and form as well as the danger it places Palestinians, and those who recognize their right to live in dignity, for expressing the Palestinian right to self-determination. Modern Zionism and Judaism are not coterminous. If you are truly concerned for antisemitism, you should understand the danger in equating a political ideology born within the past century; one that has remained nationalist in character and settler-colonial in practice for the entirety of its existence since it began with Herzl; with Judaism, a religious and ethnic identity that has endured and been practiced for millennia – modern Zionism does not emerge from scriptural tradition nor cultural practice and should not, nor ever, be conflated with the actions of an apartheid state that has violated the prohibitions on racial segregation¹, illegal occupation and annexation², and genocide³.

The proposed adoption of the IHRA definition does not only aim to make this terrible conflation between Jewish identity and modern Zionism, it aims to function as a tool for the institutional and systematic normalization of the horrific crimes against humanity that the world has been forced to watch the state of Israel commit with impunity for the past 14 months in Gaza, Palestine. Speech critical of Israeli policies or supportive of Palestinian rights cannot constitute the basis for government regulation. The weaponization of the broadly drawn definition as outlined by the IHRA does exactly this – provide overreaching and unconstitutional restrictions that function only to secure the impunity Israel has enjoyed for the past 7 decades that has currently resulted in the slaughter of over 186,000 men, women, and children⁴.

This is qualified upon examination of the ambiguous language it provides and the examples listed in the IHRA definition. Seven of the 11 examples of antisemitism listed in the IHRA definition involve shielding the state of Israel from legitimate criticism and accountability, most notably,

“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.”

The example of “claiming the existence of a State of Israel is a racist endeavor” is dangerously problematic because Israel's establishment as a Jewish majority state (1947-49) was based on the ethnic cleansing⁵ of between 750,000 and one million indigenous Palestinians, who were driven from their homes and are denied their legal right⁶ to return until this day. The approximately 150,000 Palestinians who remained inside what became Israel were granted citizenship but had most of their land taken from through dozens of methods intended for the expropriation and seizing of

¹ [World Court Finds Israel Responsible for Apartheid | Human Rights Watch](#)

² [ICJ opinion on Israeli occupation is vindication of Palestinians' rights](#)

³ [Amnesty concludes Israel is committing genocide in Gaza](#)

⁴ [Counting the dead in Gaza: difficult but essential - The Lancet](#)

⁵ [Timeline: The Palestinian Nakba \(Catastrophe\) & Establishment of Israeli Apartheid | IMEU](#)

⁶ [Fact Sheet: Palestinian Refugees & The Right of Return Under International Law | IMEU](#)

Palestinian land. Some of these methods include, unilaterally declaring land to be absentee property, declaring land to be the property of a hostile state or agent, declaring land to be part of nature reserves, requisitioning land for military needs, or simply declaring land to be state property. These Palestinians were governed by repressive, discriminatory military rule until 1966 and to this day endure systematic discrimination through dozens of laws and regulations.

The proposed adoption of the IHRA definition of antisemitism as proposed by SB 297, despite the professions of proponent of this, is not about Jewish safety. Making the conflation between modern Zionism and Judaism is not only dangerous for Jewish people and Palestinians, but it in fact also perpetuates bigotry – the core of any bigotry lies in assigning one belief or one stereotype to an entire people and this is extremely harmful. I urge this body to remove the IHRA definition of antisemitism from SB 297 and to utilize a clearer, more appropriate alternative such as the Jerusalem Declaration on Antisemitism (JDA, 2021).

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Ohio

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