

How Not to Fight Antisemitism

A Critique of the International Holocaust Remembrance Alliance Working Definition of Antisemitism (IHRA-WDA)

By [Independent Jewish Voices](#)

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Executive Summary

Antisemitism is a form of racism and as such must be opposed on general anti-racist principles, in solidarity with other anti-racist struggles and in concert with the principles of human rights and equality for all. Unfortunately, both the government of Israel and Zionist groups the world over are using society's legitimate concern about antisemitism to redefine it to include criticism of Israel and the Zionist ideology behind it. Their goal is to suppress — and even criminalize — criticism of Israel and support for Palestinian rights. Indeed, according to a recent survey, almost half of Canadian Jews believe that accusations of antisemitism are “often used to silence legitimate criticism of Israeli policies.”

One of the primary vehicles that Israel and its supporters are using to equate criticism of Israel with antisemitism is the International Holocaust Remembrance Alliance Working Definition of Antisemitism (IHRA-WDA). An international campaign is currently underway to have this definition adopted by national and subnational governments and legislatures, as well as by universities and other public institutions.

The IHRA-WDA was originally developed (but never formally adopted) by the European Monitoring Centre on Racism and Xenophobia (EUMC) to provide a common set of guidelines for researchers, agencies and governments monitoring incidents of antisemitism in Europe. It was authored by American attorney Kenneth Stern as a discussion paper and ad hoc guide for researchers and statisticians.

The IHRA adopted Stern's definition quickly and with no debate. It was subsequently picked up by the government of Israel and other Zionist organizations because it was a handy cudgel — with the imprimatur of the IHRA, an organization whose mandate is Holocaust education and memorialization — with which to beat back criticism of Israel, anti-Zionist and Palestinian rights discourses, and the Boycott, Divestment and Sanctions (BDS) movement. Zionist organizations and their allies are now working to give the IHRA- WDA legal and administrative power, something it was never intended to have and for which it is totally unfit.

In Canada, the Centre for Israel and Jewish Affairs (CIJA) is lobbying to have the IHRA-WDA

adopted by all levels of government and included as part of all university codes of conduct. It is also working to “educate” police as to the nature of “the new antisemitism” using the IHRA-WDA.

The IHRA-WDA is a deeply flawed document. It fails to provide an adequate objective standard that can be used to identify antisemitic incidents and/or antisemitic speech. It is insufficiently precise for legal and administrative uses, and its adoption for this purpose by Zionist lobby groups is opportunistic. Even Kenneth Stern has strongly opposed its use as a legal or administrative definition of antisemitism. He has warned that such a use will be a threat to both academic freedom and freedom of expression in general.

The actual definition of antisemitism embedded within the IHRA-WDA is so vague and tautological as to be almost meaningless, and it provides virtually no help in deciding if a particular incident is or is not antisemitic. The numerous examples, which make up the bulk of the definition, are poorly crafted from a legal/administrative point of view, as they are completely context-reliant. In the fine print, the IHRA-WDA actually admits that its examples do not describe definitive incidents of antisemitism, just that they might be antisemitic. Unfortunately, the examples are being taken up by advocates for the IHRA-WDA as absolute litmus tests.

Thus, on its own terms, the IHRA-WDA is not fit as a tool to adjudicate whether an incident is or is not antisemitic. It certainly should not be used as the basis of any formal condemnation or sanction. Yet this is precisely what is being proposed and how it is already being used. If the IHRA-WDA is formally adopted, as CIJA urges, those who voice legitimate opposition to Israel’s policies toward the Palestinians will be prevented from speaking or punished if they do speak.

All this should be enough reason to reject the IHRA-WDA for any legal, quasi-legal, or administrative purpose, even if it was being presented as a good faith effort to educate about and fight against antisemitism. But it is not being presented in good faith. Its pro-Israel agenda is clear. Seven of its eleven examples label criticism of Israel or Zionism as antisemitic. CIJA states in its own press releases that adoption of the IHRA-WDA is part of its campaign to fight the “new antisemitism” wherein Zionism is an essential and core Jewish tenet, and trenchant critiques of Israeli policies are motivated by antisemitism rather than a legitimate concern for Palestinians or for human rights.

Ultimately, the IHRA-WDA is a poor definition of antisemitism. The primary goal of those promoting it — and we fear its actual effect if it is adopted — is to ban or criminalize criticism of both Israel and Zionism, along with support for Palestinian rights. As such it represents a threat to the struggle for justice and human rights in Israel-Palestine, as well as to academic freedom, freedom of expression and the right to protest.

Antisemitism is a real problem and must be fought in all its forms. But this is not the way. The fight against antisemitism is inseparable from the struggles against racism, xenophobia and hatred of ethnic and religious groups. The fight against antisemitism must be joined to the struggle for equality and human rights for all people in Canada, in Israel-Palestine and around the world. We urge readers of this report to join us in opposing the adoption of the

Introduction

Independent Jewish Voices Canada (IJV) defines antisemitism as hostility, prejudice or discrimination against Jews because they are Jews. Modern antisemitism encompasses many, often contradictory ideas, but at its root it is an ideology that views the entire Jewish people as a single demonic collective, acting in harmony in a conspiracy to subvert others, usually in order to gain profit. We are painfully aware of the evils of antisemitism, especially in Christian Europe, and its ultimate horrific expression in the Holocaust. Many of us lost family members in that genocide. Some of our members are themselves Holocaust survivors.

Moreover, recent events in Europe as well as the U.S., where 12 Jewish congregants at the Tree of Life Synagogue were murdered by a white supremacist shouting antisemitic slogans, provide unwelcome evidence that this age-old scourge is still with us, and indeed has been worsening in the past few years.

IJV is active in the struggle against antisemitism. In fighting antisemitism, we emphasize that we reject all forms of racism and oppression. We believe that antisemitism is a type of racism that is intimately tied to other forms of racism, and that antisemitism increases when racism, xenophobia and intolerance of all sorts are on the rise. We are committed to realizing the goal of “Never again,” ensuring that it means “Never again — for anyone.” For these reasons, we believe that the battle against antisemitism is actually undermined when opposition to Israel’s oppression of the Palestinians is branded antisemitic.

We insist that it is not antisemitic to oppose oppressive Israeli policies or to support resistance to that oppression in solidarity with the Palestinians, such as heeding Palestinian civil society’s call to support the Boycott, Divestment, and Sanctions (BDS) movement, whose purpose is to pressure Israel to abide by international law and respect Palestinians’ human rights. Like many other Jews, we see it as our moral responsibility to challenge the legitimacy of a situation in which a modern state discriminates against Palestinians and non-Jews using overwhelming political, economic, and military power to oppress them.

Recently, the Israeli government and Israel advocacy organizations such as the Centre for Israel Canada Affairs (CIJA) and B’nai Brith Canada have been attempting to exploit concern about antisemitism by redefining antisemitism to include criticism of Israel and of the Zionist ideology that impels it. Their purpose is to deflect and ultimately delegitimize criticism of Israel’s treatment of the Palestinians. To see how misguided this strategy is, note that, according to a recent survey,[1] approximately 60 percent of Canadian Jews do not see criticism of Israel as necessarily antisemitic, and almost half (48 percent) believe that accusations of antisemitism are “often used to silence legitimate criticism of Israeli policies”.

One of the recent and most dangerous manifestations of this manipulative strategy of equating criticism of Israel and anti-Zionism with antisemitism is the recommendation that governments and institutions adopt the International Holocaust Remembrance Alliance Working Definition of Antisemitism (IHRA-WDA). This is ultimately an attempt to render criticism of Israel or participation in BDS-related activity illegal and/or generate support for censorship.

Labelling critics of Israel's laws, policies or actions as antisemites is designed to divert attention from the fact that Israel is an oppressive military superpower that is occupying Palestinian lands and subjecting Palestinian citizens of Israel to a range of discriminatory laws. Fabricated charges of antisemitism serve to shut down all debate regarding Israel by perpetuating the myth that Israel, and by extension Jews in general, are in existential danger. Similarly, labelling Palestinian rights supporters as antisemitic[2] a priori disqualifies and invalidates their claims. Both these false charges of antisemitism imperil any possibilities for peace and justice in Israel-Palestine.

In the September 7, 2018 CIJA electronic newsletter, CIJA Chair David J. Cape announced that,

We are launching a national campaign to have government and police adopt the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism [...] because it explicitly confirms that anti-Zionism is antisemitism. [Emphasis added.]

Included in the organization's 2018 Federal Issues Guide is the recommendation that

[t]he Government of Canada and relevant departments and agencies should adopt the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism for domestic Canadian purposes.[3]

CIJA's goal is to have the definition written into Canadian federal, provincial and municipal law, as well as university and other administrative policies, to serve as a criteria by which to censor or punish Canadian advocates and organizations supportive of Palestinian rights. However, the IHRA definition was not developed for this purpose. It was not originally designed as a legal or administrative guideline and, as a result, it is open to highly subjective interpretations. Furthermore, the examples it provides — which make up the bulk of this "definition" — frequently condemn "anti-Israel advocacy" while largely ignoring more traditional and truly dangerous forms of antisemitism. In short, the IHRA definition is not fit to be used in any sort of legal or quasi-legal document.

Kenneth Stern, the American attorney who originally drafted the IHRA-WDA, has condemned the way it is now being used to curb freedom of speech: He has asserted that his definition is being used for an entirely different purpose from that for which it was designed.[4] Originally created as a draft "working definition" to help standardize data collection on antisemitic hate crimes in different countries of Europe (and never even officially adopted as such), it is now being used by Israel and its supporters to curb the exercise of free speech by those who extend solidarity to Palestinians. Even worse, the use of this definition threatens academic freedom, freedom of expression, and freedom of protest.[5]

In South Carolina, where the State Legislature recently passed a bill that that would require colleges to apply the IHRA-WDA when deciding whether an incident or speech violates anti-discrimination policies and necessitates penalties, Jewish Studies professors have come out against the bill saying it would curb academic freedom, require them to update existing courses, and put a chill on academic and political discussion.[6]

It is important to fight antisemitism in all its forms and wherever it appears. But adoption of the IHRA-WDA is not the way. Rather it is more important than ever that we extend our hand in solidarity and forge alliances of mutual support with targets of oppression everywhere, including Palestinians. We must also reject attempts to delegitimize or criminalize those

engaged in this necessary solidarity work. We must oppose all attempts to have the IHRA-WDA adopted by legislative, legal and administrative bodies in Canada and worldwide.

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Featured image: Free Palestine protest at Parliament Hill, Ottawa, July 2014. Photo: Flickr/Tony Webster

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