

THE WORKING DEFINITION OF ANTI-SEMITISM

What Does It Mean, Why Is It Important,
and What Should We Do With It?

Nearly two decades ago, beginning in 2001 and 2002, we witnessed a surge in anti-Semitic incidents in Western Europe, with attacks on Jewish targets including schools and synagogues. Governments were slow to recognize them, let alone respond to them. They were frequently dismissed as reactions to the Middle East conflict, as though anger toward Israel somehow explained harassing Jewish worshipers or threatening Jewish schoolchildren. Traditional forms of anti-Semitism such as claims of Jewish control of the economy or the media, world conspiracies such as those described in the *Protocols of the Elders of Zion*, and medieval charges of blood libel may have been better understood. But, as the OSCE Berlin Declaration stated in 2004, anti-Semitism had taken on “new forms and manifestations.”

In response, the European Monitoring Centre on Racism and Xenophobia (EUMC) conducted its first study of anti-Semitism in the European Union in 2004. In direct interviews with Jewish community leaders, it found a high degree of anxiety and concern. But its national monitors discovered that the available data was quite limited, and most of them did not even have a definition of anti-Semitism to guide their analysis. American Jewish Committee (AJC) and other experts in the Jewish community stepped in. Working closely with the leadership of the EUMC, they drafted a comprehensive definition of anti-Semitism, including clear examples of the various forms it could take. This included traditional tropes, the growing problem of Holocaust denial, and the new forms that related to Israel, such as demonizing the Jewish State or holding local Jewish communities responsible for its actions. It was issued in early 2005, by the EUMC as a “working definition” to help government and civil society monitors as well as law enforcement in their work. It was quickly employed by the U.S. State Department to frame its international reports on anti-Semitism and was incorporated into training materials for police cadets in the United Kingdom.

THE IHRA WORKING DEFINITION

In 2009, the EUMC was replaced by the EU Agency for Fundamental Rights (FRA) with a broader and different mandate. FRA later determined that it would not provide a definition of any form of prejudice or intolerance, including anti-Semitism, which instead should be left to the individual victim group to describe. Elements of the Working Definition helped shape FRA's important surveys of Jewish experiences and perceptions of anti-Semitism, but it now lacked an official home.

The International Holocaust Remembrance Alliance (IHRA), an organization of 31 nations at the time, including most of Europe as well as Israel and the United States, stepped in. With its focus on Holocaust education, it had already addressed the problem of Holocaust denial, and it was determined to find the tools to fight anti-Semitism. In 2016, under the leadership of Romania, IHRA formally adopted *The Working Definition of Antisemitism*, a slightly-edited version of the original EUMC document. Thus, we speak today of the IHRA Working Definition.

ANTI-SEMITISM AS IT RELATES TO ISRAEL

The most useful—and for some the most controversial—of the examples provided in the definition are those related to the State of Israel. They are intended to explain where and how anti-Israel animus can become a form of anti-Semitism, separate and apart from criticism of Israel. These include drawing analogies to the Nazis, declaring Israel a racist—and thus illegitimate—endeavor, holding it to standards expected of no other democratic state, and holding Jews collectively responsible for its actions. These examples are reflected in the 2018 FRA survey and track what the vast majority of European Jews themselves consider anti-Semitic.¹ Some critics of Israel have unfairly claimed that the Working Definition is intended to label them as anti-Semites. In fact, its careful wording leaves a wide berth for sharp and vigorous criticism of Israel's

1. Experiences and perceptions of antisemitism/Second survey on discrimination and hate crimes against Jews in the EU." European Union Agency for Fundamental Rights. Luxembourg: Publications Office of the European Union, 2018.

government and policies. It is a “non-legally binding” definition intended to guide and educate. It is not a means to squelch debate or free speech, and those who misuse it in this way should be opposed.

EMPLOYING THE WORKING DEFINITION

The Working Definition of Anti-Semitism is being utilized by various government and non-government agencies to train police, prosecutors, and judges and to inform civil society monitors and educators.

TRAINING AND EDUCATION

- The United Kingdom College of Policing uses the Working Definition in its Hate Crime Operational Guidance for police training.
- RIAS Berlin uses the Working Definition to train judiciary officials on how to identify anti-Semitism.
- The NGO CEJI- A Jewish Contribution to an Inclusive Europe holds an annual training for EU officials on anti-Semitism using the Working Definition.
- The Mauthausen Memorial in Austria (at the site of the former concentration camp) utilizes the Working Definition in its police training.
- The Berlin state police utilize the Working Definition for police training.

DATA COLLECTION

- Several NGOs in EU member states utilize the Working Definition in recording data on anti-Semitic hate crimes, including the UK’s Community Security Trust and Austria’s Forum Against Anti-Semitism.
- The OSCE’s Office of Democratic Institutions and Human Rights’ (ODIHR) practical guide on *Understanding Anti-Semitic Hate Crimes and Addressing the Security Needs of Jewish Communities* includes the IHRA Working Definition as a resource for its 57 participating States and recommends that governments collect sound data on anti-Semitism to develop evidence-based responses to counter it.

ENDORSEMENT OF THE WORKING DEFINITION

- In 2014, the Swiss Federal President Didier Burkhalter, as OSCE Chairperson-in-Office, said the Working Definition is, “a useful document for governments and civil society in explaining how anti-Zionism is frequently a mask for anti-Semitism, and Jewish communities are often targets for anti-Israel animus.”²
- On the occasion of International Holocaust Remembrance Day 2017, European Justice Commissioner Vera Jourová said, “We will make the IHRA definition available on our website dedicated to the fight against Antisemitism.”³
- In June 2017, the European Parliament recommended use of the Working Definition in its resolution on anti-Semitism.
- In September 2018, UN Secretary-General António Guterres said, “I wish to acknowledge the efforts of the 31 member countries of the International Holocaust Remembrance Alliance to agree on a common definition of anti-Semitism. Such a definition can serve as a basis for law enforcement, as well as preventive policies.”⁴
- In December 2018, the Council of the European Union adopted a declaration on combating anti-Semitism, which included a call on member states which have not yet done so to adopt the *IHRA Working Definition of Antisemitism*.⁵
- In January 2019, U.S. President Donald J. Trump signed the Combating European Anti-Semitism Act of 2017 into law. This act, first introduced by Rep. Nita Lowey (D-NY) in January 2017, outlines how combating anti-Semitism is in the national interest of the United States and

2. Swiss OSCE Chairmanship concluding statement. OSCE Switzerland 2014. <https://www.osce.org/odihr/126710?download=true>.

3. “Speech of Commissioner Jourová at the occasion of International Holocaust Remembrance Day.” 24 January 2017. European Commission. https://ec.europa.eu/commission/commissioners/2014-2019/jourova/announcements/speech-commissioner-jourova-occasion-international-holocaust-remembrance-day_en.

4. “Anti-Semitism Rising Even in Countries with No Jews at All, Secretary-General Tells Event on Power of Education to Counter Racism, Discrimination.” United Nations Secretary General Statements and Messages. SG/SM/19252-RD/1022, 26 September 2018. <https://www.un.org/press/en/2018/sgsm19252.doc.htm>.

5. 25 IHRA members are EU member states. In November 2018, IHRA membership increased to 32 countries.

encourages adoption by national and multinational government institutions of the *IHRA Working Definition of Antisemitism*.⁶

- On February 19, 2019, French President Emmanuel Macron called on France to adopt the IHRA Working Definition. “For the first time in many years, anti-Semitism is killing people again in France,” said Macron, adding that French authorities “did not know how to react effectively.”

ADOPTION OF THE WORKING DEFINITION

The following countries have adopted the *IHRA Working Definition of Antisemitism* (as of April 2019):

- Austria
- Belgium
- Bulgaria
- Czech Republic
- France
- Germany
- Hungary
- Israel
- Lithuania
- North Macedonia
- Moldova
- Romania
- Slovakia
- United Kingdom

6. H.R.672 - Combating European Anti-Semitism Act of 2017. 115th Congress (2017-2018). <https://www.congress.gov/bill/115th-congress/house-bill/672>.

THE FULL TEXT OF THE IHRA WORKING DEFINITION:

On 26 May 2016, the IHRA Plenary decided to adopt the following non-legally binding working definition of Antisemitism:

Antisemitism is 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.

To guide IHRA in its work, the following examples may serve as illustrations: Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.

- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- 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.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

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AJC Mission:

To enhance the well-being of the Jewish people and Israel, and to advance human rights and democratic values in the United States and around the world.



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