

Adopting the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism

Despite constituting less than 2% of the American population, hate crimes against Jews make up 57.5% of all religiously based hate crimes in this country. As antisemitism continues to rise in the United States, one of the biggest barriers to combating it is a severe lack of understanding by the general public of what is and isn't antisemitism. According to AJC's 2021 State of Antisemitism report, 34% of Americans don't even know what the word antisemitism means.

Adopting The Working Definition as the official definition of antisemitism on record in the state of Kansas would ensure that all Kansans have a common understanding of what constitutes antisemitism.

Value of promoting its adoption in Kansas.:

- Educational tool to assist state authorities who are responsible for identifying and combating antisemitism, including police, prosecutors and judges (when antisemitism is a factor in criminal acts) and monitors and data collectors of antisemitic crimes and hate speech.
- Enabling the general public to understand the multidimensional nature of antisemitism today.

Debates over its adoption in the U.S., and how to respond:

- Critics claim it will violate First Amendment protection of free speech.
 - The Working Definition is intended to define antisemitism and not sanction speech. The First Amendment protects all speech, including racist, xenophobic, homophobic and antisemitic speech. But where such intolerance has consequences—e.g., in determining the motivation of hate crimes—it is important to know what antisemitism is. Also, this resolution recommending the use of the Working Definition explicitly states that nothing should be construed as infringing on First Amendment protections.
- Critics claim it is intended to stifle criticism of Israel.
 - The Working Definition with its examples of antisemitism as it relates to Israel is intended to distinguish between legitimate criticism—which it explicitly provides for—and what might otherwise be thinly-disguised forms of antisemitism. This could include conflating Jews with Israel and holding them responsible for its actions, substituting “Zionist” for “Jew” in what would otherwise be an obvious antisemitic attack, or challenging the very legitimacy of Israel as a Jewish State. Not all expressions of anti-Zionism are antisemitic (but many are) and not all proponents of BDS are antisemites (but many are). Good judgement and understanding the context of the situation matter.