

SOCIETY / APRIL 1, 2021

The Jerusalem Declaration on Antisemitism

Why the oldest hatred needs a new definition.

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Received by
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Date: 16 / 6 / 2025
Resolved to publish Yes / No

Confronted with the Jerusalem Declaration on Antisemitism (JDA), published on March 25, 2021, it is tempting—especially for Jews at this time of year—to ask: Why is this definition of anti-Semitism different from all other definitions?

Actually, the question to ask is more specific. In 2016, the International Holocaust Remembrance Alliance (IHRA), an intergovernmental body, produced its “working definition of antisemitism.” The IHRA definition has been endorsed by the secretary general of the United Nations and adopted by governments, political parties, public agencies, universities, and other bodies (including numerous Jewish organizations) in countries around the world. The European Parliament has called upon all member states to adopt the definition. The JDA is written, in large part, as a response to the IHRA text. So, a better question might be: How is the JDA different and why does the difference matter? In short: Why the JDA?

For several years, there has been a rise in anti-Semitic incidents in the United States, Europe, and other parts of the world. The IHRA definition was presented as a tool for fighting this scourge, but it has generated widespread confusion and bitter controversy—especially regarding its emphasis on speech about Zionism and Israel/Palestine. The IHRA definition tends to divert attention away from the threat that Jews face from the far right and populist movements, divide the forces opposing racism (and other forms of bigotry), and muddy the waters over the difference between anti-Zionism and anti-Semitism. This, in turn, places unacceptable constraints on political debate about the future for Israel/Palestine and on protest by Palestinians and their allies (including many Jews).

There has been no shortage of critique of the IHRA definition along these lines. But until now there had been no other game in town. Consequently, this debate, however lively, has had little or no political effect. Hence the JDA. Convened by the Van Leer

Jerusalem Institute, an international group of scholars (different people at different times) have met online over several months and drafted a text that offers a constructive alternative to the flawed IHRA definition. The drafters are among the 200-plus signatories—including some of the most eminent scholars in anti-Semitism studies and related fields—who underwrite the declaration.

The IHRA website says: “In order to combat antisemitism effectively, it is important to have clarity about what antisemitism is and how it may manifest itself.” But clarity is precisely what the IHRA text lacks, starting with its core definition: “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews.” Apart from the problematic focus on “hatred,” this has been aptly described by professor David Feldman, director of the Institute for the Study of Antisemitism (Birkbeck, University of London), as “bewilderingly imprecise.” The definition goes on to say that “manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property...” Stop there. A definition is a form of words that clarifies the meaning of a concept. The phrase “Jewish or non-Jewish,” without any explanation being given, is the opposite of clarifying: It is plain weird.

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In contrast, the definition in the JDA is simple and clear: “Antisemitism is discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish

institutions as Jewish).” The FAQ accompanying the JDA explains what the IHRA definition mangles: Anti-Semitism can, *by extension*, apply to non-Jews in cases of mistaken identity or, as it were, guilt by association.

The principal source of controversy with the IHRA text lies in the set of 11 “examples” it gives, seven of which are about Israel/Palestine. These “examples” are widely understood to be integral to the definition. (This reading is confirmed by a separate, authoritative statement emanating from the ranks of the IHRA: “Any ‘modified’ version of the IHRA definition that does not include all of its 11 examples is no longer the IHRA definition.”) But the set does not make sense *as* a set. An umbrella clause says they “could, taking into account the overall context” be examples of anti-Semitism. In fact, the most vivid examples, such as the blood libel, Holocaust denial, and the myth of a world Jewish conspiracy, do *not* depend on context. Since the IHRA text puts all 11 examples on the same level, the umbrella clause tends to slip from people’s minds. Most people—whether they support the IHRA definition or oppose it—take it to be saying that all 11 examples are anti-Semitic *per se*. This includes a number of problematic cases, such as applying double standards to Israel or questioning the Zionist conception of the state. On this basis, people invoke the IHRA definition to claim that applying the term “apartheid” to Israel and supporting BDS are intrinsically anti-Semitic. But they are not.


The effect of this confusion has been disastrous for the public debate over Zionism and Israel/Palestine. People of goodwill look to the IHRA definition for guidance concerning a key question: When should political speech about Israel or Zionism be protected—and when does it cross the line into anti-Semitism? What they need is clarity. What they get is a matzah pudding. The IHRA definition should have separated out the fight against anti-Semitism from the political battle over Israel/Palestine. It became, instead, a site where the battle is fought. People on one side of the political divide tend to support the definition, while their adversaries tend to oppose it. Whatever the IHRA authors intended, this polarization is a fatal indictment of their definition.

The JDA, in contrast, seeks to separate out the fight against anti-Semitism from partisan political argument. It has no political agenda regarding Zionism or the conflict over Israel/Palestine, about which there is a wide range of views among the signatories. What unites them are certain universal principles that are set out in the Preamble. Unlike the IHRA definition, the JDA explicitly connects the fight against anti-Semitism with a wider front opposing racism and bigotry in general. Its guidelines make a clear distinction between cases that depend on context and cases that do not. Because it sets out to rectify the flaws in the IHRA definition, special

attention—more than some of us would like—is paid to speech about Israel/Palestine. One helpful feature is that it gives examples which, on the face of it, are *not* anti-Semitic. (They include the problematic cases mentioned above.) Not that the JDA *endorses* the views in question; some signatories strongly oppose one or more of them. But it is one thing to think that a political view is wrong, another to brand it anti-Semitic.

To sum up: The IHRA definition is unclear, confusing and misleading. It is divisive among Jews and does not help forge a broad anti-racist alliance. It tends to encourage conflation of anti-Zionism with anti-Semitism, and to inhibit legitimate political speech about Israel/Palestine. In all these respects, the JDA, though far from perfect, offers a better alternative.

That's why the JDA. **N**



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