

THE JERUSALEM DECLARATION ON ANTISEMITISM

combating racism, enabling protest

Alternative Jewish Voices

שימע קולנו

Alternative Jewish Voices is a non-Zionist collective of New Zealand Jews. We have written this brief to give readers some insight into the task of recognising antisemitism and adopting a definition for policy and public understanding.

Worldwide, the understanding of antisemitism has become controversial. In 2016, proponents of the International Holocaust Remembrance Alliance [Working Definition of Antisemitism](#) (IHRA-WDA) called on civil society and governments to define and respond to antisemitism separately from other forms of racism. Because the IHRA-WDA conflated antisemitism and protest against Israel's occupation of Palestine, it enabled many often-baseless charges of antisemitism to be made in Aotearoa-NZ and overseas. Those who advocate for Palestinian rights have been called Jew-haters.

This does nothing to protect the Jewish community from racism, and the confusion impedes our collective task of opposing racism in all of its forms.

In March 2021, the [Jerusalem Declaration on Antisemitism](#) (JDA) 2021 was published to clarify what has become a hostile issue. The JDA situates antisemitism among all the forms of racism which require our combined action, and it offers guidance to distinguish between hatred and political disagreement.

The two definitions thus differ in their style and intent. We believe that the JDA, while not without its problems, is a more considered document than the IHRA-WDA and we will argue that it offers more nuanced guidance to help decide whether a particular action is antisemitic.¹

We welcome the Jerusalem Declaration, and we ask you to give it your attention.

We ask government, institutions and authorities to consider both definitions side by side if they are lobbied to adopt the IHRA-WDA as a new definition of antisemitism. If a new definition is needed at all, then ask what each of the two definitions protects. Ask how they each preserve our right to engage in vigorous political speech without becoming the target of inflammatory accusations.

We urge authorities, media and all of New Zealand to recognise that the Zionist agenda of the IHRA-WDA does not represent the position of the whole Jewish community.

¹ New Zealand's law on antisemitism isn't always clear-cut. The Human Rights Commission has produced a useful paper on hate speech, Korero Whakamauahara: Hate Speech – an overview of the current legal framework. It is available for download here: https://www.hrc.co.nz/files/2915/7653/6167/Korero_Whakamauahara-Hate_Speech_FINAL_13.12.2019.pdf

We ask our partners and our neighbours to use the JDA, to reflect on their speech and continue to act in pursuit of justice and equality.

We ask that the name-calling end, so that the real work of making positive change can continue.

WHY DO WE NEED THE JERUSALEM DECLARATION ON ANTISEMITISM?

Regardless of the intent of its writers, the IHRA-WDA has primarily been used against Palestinians and their allies, academics and Jews who criticize Israel. Even in Aotearoa-NZ, where the IHRA-WDA has no official standing, we have become accustomed to reading [routine, sweeping accusations](#) of antisemitism. The accusers blithely write off political protest as Jew-hatred, while overlooking the white supremacist and violent racism of the far right. Palestinians who simply tell their lived stories, or those who call for the application of human rights law in the occupied territories quickly find themselves labelled as people who hate Jews. Social media circulates these stigmatising charges widely, and the individuals have no way to clear their names. These unaccountable accusations [distort the public understanding](#) of antisemitism. When disagreement is confused with racism, the Jewish community's understanding of the prevalence of genuine antisemitism is also distorted.

We have objected. Zionism is not the same as Judaism. Zionism is Jewish nationalism, embodied in the state of Israel. It is subject to the same political scrutiny as any other ideology or military project. Judaism is a religion, and it belongs in the protected sphere of belief. The Jewish community is not protected from racism by foreclosing on protest or silencing Palestinian voices. The IHRA-WDA advocates claim to act on behalf of the whole Jewish community, while seeking to discredit massive numbers of Jews as antisemites. Something is very wrong.

The Jerusalem Declaration on Antisemitism (JDA) pulls the emergency brake and resets the issues.

COMPARING THE DEFINITIONS

| <i>Jerusalem Declaration on Antisemitism</i> | <i>IHRA-WDA Working Definition</i> |
|---|---|
| Antisemitism is discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish). | 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. |

Both documents agree that it is antisemitic to use or invoke the classical tropes of Jew-hatred, to essentialise Jews or deny the facts of the Holocaust. The IHRA-WDA added eleven examples of speech that it considers antisemitic. Seven of the example deal with Zionism and Israel. This itself is a point of strong contention, since it places the ideology of Zionism in the protected space of religion. The two definitions begin to diverge in the extent of political speech they would permit. See our Appendix for a table of comparisons.

Beyond its text, the IHRA-WDA’s examples have been interpreted in an absolute way. The expansive application of the IHRA-WDA created the need for the JDA’s intervention. Therefore, the JDA goes on to cite five examples which counter the creeping presumption that anti-Zionist protest is inherently antisemitic. The Jerusalem Declaration does not find these forms of speech to be, *prima facie*, hateful:

- Supporting the Palestinian demand for justice and the full grant of their political, national, civil and human rights, as encapsulated in international law.
- Criticizing or opposing Zionism as a form of nationalism, or arguing for a variety of constitutional arrangements for Jews and Palestinians ... to support arrangements that accord full equality to all inhabitants
- Evidence-based criticism of Israel as a state. This includes its institutions and founding principles. It also includes its policies and practices, domestic and abroad, such as the conduct of Israel in the West Bank and Gaza ... It is not antisemitic to point out systematic racial discrimination.
- Boycott, divestment and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic.
- Political speech does not have to be measured, proportional, tempered, or reasonable to be protected under Article 19 of the Universal Declaration of Human Rights or Article 10 of the European Convention on Human Rights and other human rights instruments. Criticism that some may see as excessive or contentious, or as reflecting a “double standard,” is not, in and of itself, antisemitic. In general, the line between antisemitic and non-antisemitic speech is different from the line between unreasonable and reasonable speech.

We reproduce the relevant section of the Jerusalem Declaration on Antisemitism in full in the Appendix.

OTHER POINTS OF DIFFERENCE

Compare the drafting of the two definitions. The IHRA-WDA was a working document, intended to aid data collection. It has no academic or legal imprimatur. Two hundred eminent scholars worked for a year to draft the JDA with legal and constitutional advice. Their gravitas gives us a serious work, purpose-built and grounded in principles of free speech and opposition to racism.

The IHRA-WDA has been pilloried for its [vagueness and contradictions](#): it fails on its own terms as a definition. Even the [authors of the IHRA-WDA have protested](#) the use to which their working document has been put. Advocates have sought to harness the machinery of government to shield Israel's occupation from challenge, in the name of the whole Jewish community. Particular reputational harm has been done to Palestinians and their allies, to academics, and to dissenting Jews. The climate of healthy political debate has been chilled. The public understanding of antisemitism has been distorted, in order to shield Israel's actions from political opposition.

Importantly, the Jerusalem Declaration does not replicate the IHRA-WDA's activist strategy. The JDA is not a rival manifesto but a reset. It takes no position on Zionism; it takes a position on preserving political debate and opposing racism.

Some activists have expressed thoughtful reservations, although most have still welcomed the JDA on balance. They recognise that the alternative is not an imagined ideal definition. The alternative to the JDA is the perpetuation of the IHRA-WDA's reputational and political harm.

The Jewish community of Aotearoa-NZ is not protected by protecting Israel's occupation of Palestine, and the IHRA-WDA is not "what the Jewish community wants." Government, media and our neighbours must understand that there is no single Jewish position on Jewish nationalism. We wholeheartedly believe and work to uphold the equal rights and standing of the Palestinians who are dispossessed and harmed by Israel's actions. Occupation is not our Judaism.

Our Hebrew name is Sh'ma Koleinu. That means, hear our voice. On these matters, please hear all of our voices.

In sum, the Jerusalem Declaration is a definition, an instrument, not a conclusion. No definition will do the work of opposing racism or advancing justice. The JDA is an emergency brake to stop the reputational harm of sweeping accusations of antisemitism, and let us get on with the work of justice and equity. We ask you to embrace it and use it as a guide to end the name-calling, and protect the space for fearless, vigorous debate.

See [our resources page](https://ajv.org.nz/resources-for-the-jerusalem-declaration-on-antisemitism/): <https://ajv.org.nz/resources-for-the-jerusalem-declaration-on-antisemitism/>

Contact

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APPENDIX: DETAILED COMPARISON

Both definitions consider it antisemitic to use or invoke the tropes of classical Jew-hatred. When their attention turns to speech involving Israel, they begin to diverge. This table is comprised of direct quotes, taken out of sequence to enable comparison.

| <i>Jerusalem Declaration considers these antisemitic</i> | <i>IHRA-WDA considers all of these to be antisemitic</i> |
|--|---|
| | Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust. |
| Assuming that non-Israeli Jews, simply because they are Jews, are necessarily more loyal to Israel than to their own countries. Holding Jews collectively responsible for Israel's conduct or treating Jews, simply because they are Jewish, as agents of Israel. | 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 right of Jews in the State of Israel to exist and flourish, collectively and individually, as Jews, in accordance with the principle of equality. | Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour. |
| | Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation. |
| | Drawing comparisons of contemporary Israeli policy to that of the Nazis. |
| Requiring people, because they are Jewish, publicly to condemn Israel or Zionism (for example, at a political meeting). | Holding Jews collectively responsible for actions of the state of Israel. |

In its Section C, the Jerusalem Declaration counters the IHRA-WDA's history in practice. Proponents have used the IHRA-WDA to issue sweeping condemnations of protest as antisemitic. We reproduce the section in full, in the hope that can help us to protect valid protest, and recognise real racism.

C. Israel and Palestine: examples that, on the face of it, are not antisemitic (whether or not one approves of the view or action)

11. Supporting the Palestinian demand for justice and the full grant of their political, national, civil and human rights, as encapsulated in international law.
12. Criticizing or opposing Zionism as a form of nationalism, or arguing for a variety of constitutional arrangements for Jews and Palestinians in the area between the Jordan River and the Mediterranean. It is not antisemitic to support arrangements that accord full equality to all inhabitants "between the river and the sea," whether in two states, a binational state, unitary democratic state, federal state, or in whatever form.
13. Evidence-based criticism of Israel as a state. This includes its institutions and founding principles. It also includes its policies and practices, domestic and abroad, such as the conduct of Israel in the West Bank and Gaza, the role Israel plays in the region, or any other way in which, as a state, it influences events in the world. It is not antisemitic to point out systematic racial discrimination. In general, the same norms of debate that apply to other states and to

other conflicts over national self-determination apply in the case of Israel and Palestine. Thus, even if contentious, it is not antisemitic, in and of itself, to compare Israel with other historical cases, including settler-colonialism or apartheid.

14. Boycott, divestment and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic.
15. Political speech does not have to be measured, proportional, tempered, or reasonable to be protected under Article 19 of the Universal Declaration of Human Rights or Article 10 of the European Convention on Human Rights and other human rights instruments. Criticism that some may see as excessive or contentious, or as reflecting a “double standard,” is not, in and of itself, antisemitic. In general, the line between antisemitic and non-antisemitic speech is different from the line between unreasonable and reasonable speech.