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Fathom Long Read |
Accommodating the New
Antisemitism: a Critique of
'The Jerusalem Declaration'

By Cary Nelson



**FATHOM LONG READ | ACCOMMODATING THE NEW
ANTISEMITISM: A CRITIQUE OF 'THE JERUSALEM
DECLARATION'**

CARY NELSON

In this comprehensive critique Cary Nelson argues that the recent 'Jerusalem Declaration' on Antisemitism should be rejected because it accommodates, rather than challenges, what has been called 'the new antisemitism'. After reviewing the debate (and the falsehoods) about the IHRA Definition of Antisemitism, to which the Jerusalem Declaration presents itself as an alternative, Nelson rejects the Declaration for several reasons: for defining antisemitism in an excessively narrow way, uncomprehending of the ideological versions of antisemitism that are now so influential; for dissolving antisemitism into antiracism, discrediting and obliterating Jewish identity; for employing rhetorical strategies that repeatedly draw empty or banal distinctions to disclaim antisemitic content; for naively absolving the anti-Zionist industry of any probable freight of hatred; and for being marred by a conceptual confusion about, and an impoverished history of, antisemitism. Nelson also reviews, and more positively, the 'Nexus Declaration' on antisemitism, described by its authors at the University of Southern California as complementing and clarifying IHRA. We invite the signatories of the Jerusalem Declaration and the Nexus Declaration to respond to Nelson's essay in Fathom.

Controversy is swirling anew around the Working Definition of Antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) in 2016 and subsequently endorsed by a wide range of nations, agencies, and organisations. The Definition opens with a brief summary definition of antisemitism and then lists eleven major forms or examples of contemporary antisemitism, such as 'accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust' and 'using the symbols and images associated with classic antisemitism (e.g., claims of killing Jesus or blood libel) to characterise Israel or Israelis.' [I use 'Definition' in initial caps to refer to the entire document, not just the brief definition at its outset]. The Definition includes numerous warnings that these examples should not be applied without analysis that takes their contexts into account. Nor does the Definition claim the list of examples is exhaustive; it does, however, enumerate much of the antisemitism encountered in contemporary writing and daily life, including the antisemitism now focused on the State of Israel and the antisemitism that proliferates on the internet and through social media.

The history of the Definition dates to 2005, when the European Monitoring Centre on Racism and Xenophobia (EUMC) issued the first version of a Working Definition. From the outset, it provoked warnings that it could inhibit free speech or even be used to sanction it. Indeed, in

2011 I coauthored an open letter (distributed by the AAUP) stating that the EUMC Working Definition should not be used ‘to censor what a professor, student or speaker can say.’ But debates about that potential intensified after IHRA issued a version of the Working Definition that began to be both endorsed and officially adopted worldwide. Widespread commitment to free speech, academic freedom, and the IHRA Definition’s own guidelines have prevented the fears of pervasive restrictions on speech from ever materialising, though a growing chorus of dire warnings and unfounded complaints about the IHRA Definition persists nonetheless. The mounting number of attacks on the Definition suggest frustration at its increasing legitimacy.

Lara Friedman, who runs a left-wing organisation called the Foundation for Middle East Peace, has been among the Definition’s leading critics. Her annotated list of ‘Challenges to the IHRA Definition’ has 21 entries for 2018, 23 for 2019, 41 for 2020, and 55 for the first three months of 2021. The 2021 increase is due in part to the publication of two new formal definitions of antisemitism, both adapting the structure of the Working Definition. Like the IHRA Definition, they begin with a revised definition and general comments, and then follow with examples. Instead of just listing examples of antisemitism as the Definition does, however, they each offer two lists—with examples differentiated between those the authors consider antisemitic and those they think are not. The Jerusalem Declaration on Antisemitism criticises IHRA and aims to replace it. The Nexus Document has been described by its authors as complementing and clarifying IHRA, effectively a friendly amendment. But these new lists have generated a further round of critical debate and multiplied the confusion over what IHRA does and doesn’t say or do. After giving an overview of the current state of competing views about the IHRA’s Working Definition, I will discuss the Jerusalem Declaration in detail, followed by comments on the Nexus Document.

THE IHRA

It’s now been more than fifteen years since 2005 and five years since 2016, and the debate about the IHRA Definition has only intensified. But it is also possible now to document the ways the IHRA Definition has actually been used. The need for a contemporary definition was triggered by a recognised pattern of increasing instances of antisemitism in Europe and the need to document them. As three of the original definition’s authors have testified, moreover, it was also understood from the outset to be considerably more than an aid to bureaucratic record-keeping. Its intended purpose was educational: to educate people worldwide about the nature of contemporary antisemitism in the service of combatting it (Baker et al). Making antisemitic practices visible, the thinking went, would make people better able to reject them. There have been some demands that both the EUMC and the IHRA versions be restricted to the record-keeping purpose, but the Definition’s transformative effects cannot be halted. Even the authors of a text cannot control the meanings or uses it will acquire over time.

No one could have known in 2016 how widely the IHRA version would be adopted nor

the speed with which it acquired symbolic and canonical status. More than 30 countries and several hundred local authorities and organisations have adopted it. Sociologist Keith Kahn-Harris of Birkbeck College writes that it ‘has taken on such totemic significance’ that ‘its adoption or non-adoption has become an existential question for institutions and individuals.’ In January 2021 the European Commission and the IHRA published their Handbook for the practical use of the IHRA Working Definition of Antisemitism, which includes a substantial list of good practices and examples of how the definition is being employed. It recommends the Definition’s continued use as a guiding reference at educational institutions, including inclusion in curricula, use by administrations for preventive and reactive purposes, guidance in evaluating educational materials, and a basis for support of academic research. It suggests it be used in police, state attorney, and judicial training and in manuals for addressing antisemitic hate crimes. Among some on the left, the fact that a document is used by the police often makes it suspect or automatically worthy of condemnation. But these officials otherwise often lack any detailed knowledge about antisemitism, knowledge they require in their jobs. The Definition can also help agencies avoid unintentionally funding antisemitic groups and projects. It is useful, the Handbook suggests, in providing ‘support services for victims of antisemitism, including legal and psychological counseling or intervening when expertise is needed’ (33). The Definition is no longer just a text to be debated in the abstract; it has a growing track record of applications.

Specific examples from the Handbook indicate the variety of these practical applications. European football clubs have offered it ‘as a specific reference point for employees, stewards and fans on what antisemitism is’ (34). The Church of England’s ‘interfaith team and national advisors use the Definition as the benchmark in their work and ministry’ (35). UNESCO incorporates the Definition in a set of four framework curricula for teacher trainers (29). The American Jewish Committee’s guide to the Working Definition adds its own list of applications, among them ‘The United Kingdom Judicial College included the Working Definition in its 2018 guidance to judges,’ ‘The NGO CEJI—A Jewish Contribution to an Inclusive Europe holds an annual training for EU officials on antisemitism using the Working Definition,’ and ‘The Mauthausen Memorial in Austria (at the site of the former concentration camp) uses the Working Definition in its police training’ (4). I have not yet seen opponents of the Definition systematically address the range of verifiable applications already in place, its critics apparently preferring hypothetical concerns or unsubstantiated anecdotes.

MISPLACED FEARS, MYTHS (AND UNTRUTHS) ABOUT ‘IHRA SILENCING’

If opponents bothered to engage actual Definition-inspired practices, they might recognise that the brief opening preamble definition, much criticised as being vague and unusable, is not in fact being used. It is not really meant to be used. It provides a general cultural context for

what follows, while reminding us that the eleven examples cannot actually cover all varieties of antisemitism. It is the eleven examples of antisemitism that are being taught and applied—and with the discretion and attention to context that the definition explicitly calls for. It is expected that the examples will help us recognise antisemitic statements; we can test what we encounter against them. We are not encouraged to test events against the opening definition.

The protests against the Definition proceed at the same time as its widening adoption, though the two tracks rarely meet. Although there is a serious debate about the Definition, some of the clamor about it belongs primarily to the general cultural and political project of demonising and discrediting Zionism. Some anti-Zionist complaints focused on the Definition draw on a larger political phenomenon — false claims of victimhood from ‘silenced’ members of both the political left and right. The most absurd versions of this trend have no relation to the Israeli-Palestinian conflict; they come from politicians with outsized megaphones who bellow ‘I will not be silenced!’ whenever they face criticism. They equate being criticised with being silenced. It is a convenient way of avoiding serious debate. As an official BDS statement declares hyperbolically, ‘an ominous climate of bullying and repression has resulted from the proliferation of the so-called IHRA Working Definition of Antisemitism that conflates legitimate opposition to Israel’s regime of apartheid, colonialism and illegal occupation with antisemitism.’ Jonathan Shamir adds an unwarranted element of conspiracism: ‘A network of government-funded NGOs are pushing the definition in an effort to redefine antisemitism and quash Palestinian dissent.’

My friend Kenneth Stern, who coordinated some of the drafting process for the original EUMC version of the Definition, has repeatedly warned of a potential widespread chilling effect from its adoption, but criticism of Israeli policy and demonisation of the Jewish state continue unabated. His fear that there will be a chilling effect on anti-Zionist speech on North American, British, and European campuses has not been borne out by reality; the fear has no real world merit. In a December 2020 piece in *The Times of Israel*, he expanded his claim: ‘for the past decade, Jewish groups have used the definition as a weapon to say anti-Zionist expressions are inherently anti-Semitic and must be suppressed.’ Demands like this are not part of the Definition, and there is no evidence it can or will be used successfully in such a campaign. Although some Jewish groups have called for the suppression of certain forms of anti-Zionist speech that they consider antisemitic, they have not prevailed. Similarly, NGOs of many stripes routinely call on universities to censure or fire faculty for remarks of all kinds, but universities routinely dismiss those demands, except for part time or contingent faculty, who are much more vulnerable. Rebecca Ruth Gould, a professor of Islamic Studies at the University of Birmingham, claims that university administrators or legal counsel generally will grant the Definition a form of quasi-legal status and use it to suppress expression that matches the eleven examples, an argument others have echoed. A given university administrator or

legal counsel could misinterpret the Definition, ignoring the fact, as Gould acknowledges, that it is 'suffused with tentative language and caveats' (17), and try to limit expression in line with one of the eleven examples. Gould worries such actions could become standard practice, but I consider that highly unlikely.

In a search for cases of 'silencing' to cite, some critics of the IHRA point to disciplinary action taken against faculty members who violate professional standards in the service of their anti-Zionism. Thus Jasmine Zine, a journalist and sociology professor at Wilfrid Laurier University, falsely claims that University of Michigan American Studies professor John Cheney-Lippold was punished for criticising Israel, when in fact he was punished for refusing to write a letter of recommendation for a student applying to study at Tel Aviv University, a student he regarded as well qualified. Zine also tells us that universities have 'cancelled events' that would have criticised Israel. As proof, she links only to an article about the scheduled November 2018 national conference of Students for Justice in Palestine, which did indeed meet with complaints beforehand. But the conference was held at UCLA as planned, two years before Zine published her piece and thus within plenty of time for her to have found out what happened. As if these inaccurate examples were not enough to discredit a source, she adds that anti-Zionist students have been 'expelled' from universities, certainly an extremely serious accusation. Her evidence is a link to a story reporting that Neal Sher, a former Justice Department official responsible from 1983-1994 for hunting former Nazis, told a reporter in 2018 that UC Berkeley students who equated the Pittsburgh synagogue murders with Israeli action in Gaza should be expelled, an intemperate statement that merits condemnation. But Sher was a private citizen whose government responsibilities had ended more than thirty years earlier. Indeed, he had been disbarred in the interim. Unsurprisingly, the students were not in fact expelled. Zine appears to have copied these citations, unacknowledged, from an article by Acadia University's Jeffrey Sachs.

Zine's irresponsible reproduction of these falsehoods was not the last step in their circulation. Two faculty members with long histories of anti-Zionism, Neve Gordon, a political scientist at Queen Mary University, and Mark LeVine, a historian from the University of California at Irvine, then cite Zine in an *Inside Higher Education* essay as evidence of Zionist political aggression. They were either too lazy or overwhelmed by confirmation bias to check her sources. Distressed by the widening adoption of the Definition, Gordon and LeVine warn absurdly that Albert Einstein and Hannah Arendt could be judged anti-Semites by its criteria. They also wildly extend the Definition's silencing effects to claim it 'is being wielded as a weapon to suppress a variety of progressive causes': 'it allows conservative and even moderate political forces to discipline, silence and marginalise progressive voices against racism, poverty, the climate crisis, war and predatory capitalism.' *Inside Higher Education* should have demanded evidence in support of these claims before publishing the essay. IHE might even

have gone the extra mile and followed the links they supplied.

It is notable in this context that even a typically articulate NGO can get confused when talking about Israel. For a number of years, the Foundation for Individual Rights in Education (FIRE) has been a leader in defending academic freedom. When I was president of the American Association of University Professors from 2006–2012, I reversed an existing AAUP staff policy against collaborating with FIRE, and we worked closely together on several occasions. When my campus administration attempted to impose rules in violation of the First Amendment, FIRE's lawyers were essential in getting them to back down. But FIRE is among the groups condemning the IHRA Definition, guided, I suspect, by the prevailing left bias against Israel.

FIRE's repeated criticism of the IHRA Definition falls dramatically short of its usual standards, though it does follow a pattern regarding Israel. One of the IHRA examples of antisemitism is 'Applying double standards by requiring of it [Israel] a behavior not expected or demanded of any other democratic nation.' In response, FIRE tells us 'There is not — and there should not be — a law requiring those people to spend their time criticising other regimes equally or else risk violating anti-discrimination laws.' Who would disagree? The IHRA Definition does not make any such recommendation. It simply alerts us to a pattern of people and groups demanding that Israel honor principles and adopt practices that pretty much no one asks of other democratic countries. It is absurd to suppose a 'law' requiring anyone to criticise multiple regimes when they criticise one could pass muster in any democratic country. FIRE adds that 'the Constitution affords people the freedom to be hypocritical in their analysis of other countries' policies.' True again. But the First Amendment to the US Constitution also permits us to recognise hypocrisy and condemn it. That's part of what the IHRA Definition helps us do. It does not propose a law against hypocrisy. What other than a predisposition against Israel could lead FIRE's lawyers to advance this ludicrous argument?

One common complaint against the Definition, put forward in numerous articles excerpted by Lara Friedman, is that it treats all criticism of Israel as antisemitic and aims to suppress it. This complaint has been endlessly debunked, often by citing this passage from the Working Definition itself: 'criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.' The Definition stipulates explicitly that criticising Israeli government policy, something Israelis themselves do nonstop, does not constitute antisemitism. I have criticised Israeli policy on many fronts, and no one has declared me an anti-Semite. As Bernard Harrison of the University of Sussex and Lesley Klaff of Sheffield Hallam University write, 'The 'examples' section of the Definition in no way restricts critical political debate concerning Israel; it merely discourages, by characterising them correctly as antisemitic, certain lines of mendacious defamation, primarily of Israel, and secondarily of its supporters, Jewish and non-Jewish' (31). The IHRA Definition helps individuals, universities, NGOs, and governments take positions opposing contemporary examples of antisemitism, while preserving their right

to make those same anti-Semitic claims. While one may hope the Definition might discourage some hate speech, there is little reason to hope it can have a major impact on Israel's opponents. People can still say 'Israel is the new Nazi Germany,' a claim addressed below and by an IHRA example. No one will be 'silenced.'

Joshua Shanes from the College of Charleston and Dov Waxman of UCLA take a different approach, turning the IHRA's conditional wording, a feature others consider a strength, into a weakness, making its examples inadvertent weapons:

This weaponisation of the IHRA definition of anti-Semitism has been facilitated by its ambiguity. Although it does not simply equate anti-Zionism with anti-Semitism, or label all criticism of Israel to be anti-Semitic — as some opponents of the definition assert — its vague, conditional wording is open to misinterpretations and misuse. Its conditional phrasing — that criticism 'could, taking into account the overall context' cross the line to anti-Semitism — is too often forgotten, or even purposefully ignored. Some of its examples relating to Israel are particularly prone to such problems.

As they acknowledge, some will inevitably misapply the examples in this or any other definition of antisemitism (or any other definition of a controversial concept). They find the Jerusalem Declaration, which I will discuss next, an improvement. I do not. Either way, they are surely wrong in thinking the Jerusalem Declaration, which also enumerates categories of anti-Semitic criticism of Israel, will be less susceptible to misapplication. The Working Definition has been and will continue to be misused, often prominently by politicians like former Trump administration officials Secretary of State Mike Pompeo and presidential adviser Jared Kushner. Abuses of the Working Definition need to be called out and condemned so as to preserve the document's core value.

Some Definition proponents and opponents, we will see, do engage their opposition substantively, important examples being Alan Johnson's Fathom eBook *In Defense of the IHRA Working Definition of Antisemitism*, and two March 2021 statements, the 'Jerusalem Declaration on Antisemitism' developed at the Van Leer Institute in Jerusalem and signed by 200 academics worldwide, and 'The Nexus Document' issued by a group at the University of Southern California's Annenberg School. David Schraub provides a helpful [chart](#) comparing the IHRA Definition with the Nexus document and the Jerusalem Declaration.

The November 2020 Statement of 122 Palestinian and Arab Intellectuals

Still greater concern is warranted by a November 2020 statement issued by a group of 122 Palestinian and Arab intellectuals entitled 'Palestinian rights and the IHRA definition of antisemitism.' This document, comprising seven numbered objections to IHRA, seeks the elimination of any Jewish state in the Levant in defining what its authors consider 'self-determination' to mean for both Israelis and Palestinians. It claims that 'the self-determination

of a Jewish population in Palestine/Israel has been implemented in the form of an ethnic exclusivist and territorially expansionist state,' thus casting Israel itself as illegitimate. To emphasise the point, it adds that 'no right to self-determination should include the right to uproot another people and prevent them from returning to their land, or any other means of securing a demographic majority within the state.' These principles, if realised, would terminate not only the occupation of the West Bank but also the 1948 founding of Israel.

The Palestinian / Arab statement of November 2020 goes on to say 'The IHRA definition and the way it has been deployed prohibit any discussion of the Israeli state as based on ethno-religious discrimination,' which is simply untrue; IHRA does not prohibit anything. Yet the Palestinian statement concludes that 'The suppression of Palestinian rights in the IHRA definition betrays an attitude upholding Jewish privilege in Palestine instead of Jewish rights, and Jewish supremacy over Palestinians instead of Jewish safety' and thus that it 'contravenes elementary justice and basic norms of human rights and international law.' The authors will be aware that 'supremacy' evokes white supremacy and thus racialises the conflict. The use of 'privilege' is no doubt meant to suggest analogies with the au courant concept of 'white privilege.' As writers seek to make an impression amid proliferating testimonies against the Working Definition and in support of the Declaration, rhetoric escalates. Leiden University's Sai Englert writes that the Working Definition aims 'to repress the historical facts of Palestinian dispossession, displacement and oppression' and thus decries 'the repressive atmosphere' it creates. Comparably uncompromising condemnations of the IHRA Definition underlie the Jerusalem Declaration as well. Neither the statement by Arab intellectuals nor the Declaration anticipates either reconciliation or a peaceful resolution of the conflict.

Would the IHRA Definition lead us to judge 'Palestinian rights and the IHRA definition of antisemitism' an antisemitic text? I believe so. Some IHRA Definition opponents treat condemnation of calls to eliminate Israel in effect as violations of human rights, disguising existential challenges to Israel's existence as 'valid criticisms' or repudiations of 'Jewish exceptionalism.' For Barry Trachtenberg, a historian at Wake Forest University and another Declaration endorser, it is time to push back 'against the misguided belief' that antisemitism 'is a unique and unparalleled form of hatred.' Writing in *Tikkun*, a community psychologist named Donna Nevel presses the same point more bluntly: 'We must not reinforce the notion that there is anything about criticism of Israel that requires "special" attention.' With a wave of her hand, two thousand years of history are swept away, as if the Jews never existed. She too feels 'the IHRA definition goes full speed in conflating criticism of Israel and support for Palestinian justice with antisemitism.' Nevel and Trachtenberg both praise the Declaration for pushing back. Trachtenberg then surprisingly tells us that 'the IHRA definition has been used almost exclusively to silence Palestinians discussing their daily experiences of humiliation, violence, and dispossession under Israeli law.'

THE JERUSALEM DECLARATION ON ANTISEMITISM

The text of the Jerusalem Declaration begins with a preamble that makes it clear that it was issued in explicit opposition to the IHRA Definition. But before then it offers a definition of antisemitism that serves as an epigraph: ‘Antisemitism is discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish).’ That definition — which operates like an extension of the minimalist dictionary definition ‘Antisemitism is hatred of Jews’ — has the virtue of clarity, but it is inadequate because it is excessively narrow and altogether blind to the ideological versions of antisemitism that are now so influential. (One can produce a concise history of antisemitism, but it is not so easy to combine a Medieval claim that the Jews killed Jesus, Nazi racism, and a 1950s country club’s refusal to accept Jewish members into one definition.) The Declaration proceeds to three sections: A, B, and C. The first is devoted to general observations about antisemitism; then come two contrasting sections devoted to Israel and Palestine.

The preamble includes one binding principle that some of the Declaration’s supporters have found irresistible: ‘we hold that while antisemitism has certain distinctive features, the fight against it is inseparable from the overall fight against all forms of racial, ethnic, cultural, religious, and gender discrimination.’ The prime concept here in the context of US debates is antiracism. As a matter of both principle and tactics, it is important that Jews join antiracist coalitions—so long as anti-Zionism is not the price of admission. But as David Hirsh and Dave Rich have shown, anti-Zionism is increasingly definitional in left antiracism. One cannot escape noticing, moreover, that the opening concession — ‘while antisemitism has certain distinctive features’ — is more than slightly condescending and dismissive, an impoverished gesture toward nearly two thousand years of Jewish history since Christianity coalesced. That history underlies not only our understanding of contemporary antisemitism but also the identities of living Jews. The controlling force of the Declaration’s principle dissolves antisemitism into antiracism, discrediting and obliterating Jewish identity. Compare it with several equally unacceptable alternatives warranted by the Declaration’s own list: ‘while anti-Black racism has certain distinctive features’; ‘while contempt toward Native Americans has certain distinctive features’; ‘while opposition to women’s rights has certain distinctive features,’ and so forth. The movements opposing these prejudices need dedicated historical awareness to make them meaningful and effective. Hatred and a belief in inferiority have been fundamental to many such histories. ‘Certain distinctive features’ will not suffice to reference those histories with their defining traumas and triumphs; neither does it adequately characterise the history of the longest hatred.

Conceptual problems multiply as the Declaration proceeds. The Declaration’s Section A makes an oversimplified generalisation that ‘what is particular in classic antisemitism is the idea that Jews are linked to the forces of evil.’ That is unquestionably integral to much

Christian antisemitism, but it does not apply to all earlier antisemitic conspiracism, to political antisemitism, to the Third Reich's racial theories, or to other versions of Jew hatred. Even for Christian antisemitism, notably, accusations of Jewish evil are not always relevant. Christian supersessionism, for example, now commonly argues that God's covenant with the Jews has been 'fulfilled' by the new covenant with the Church, rather than voided by Jewish evil (Nelson and Gizzi). Section B lists examples that 'on the face of it, are antisemitic,' whereas Section C covers 'examples that, on the face of it, are not antisemitic.' This dichotomy appears to make a concession that even the IHRA Definition resists, since the IHRA insists on considering context when evaluating all potential antisemitic statements. Indeed, as University of Manchester philosopher Eve Garrard shows, the IHRA Definition 'is peppered with conditional verbs' (47) that limit its automatic application.

Section C of the Jerusalem Declaration resorts to rhetorical strategies that repeatedly draw empty or banal distinctions to disclaim antisemitic content. Notable among these is the thrice-repeated statement that certain claims, 'even if contentious,' 'are not, in and of themselves, antisemitic.' What the IHRA Definition makes clear instead is that there are categories of statements that have a substantial established history of being precisely antisemitic. They are probable indicators, not dispositive litmus tests. The Declaration wants to absolve the anti-Zionist industry of any probable freight of hatred. The Declaration does that in part by seeming to defend a principle of free speech that discourages us from assuming antisemitic intent or effect when confronted by instances of what has been called 'the new antisemitism.'

Thus it stipulates that '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.' The issue is not whether any and all boycott efforts are antisemitic 'in and of themselves.' Israelis commonly boycott West Bank products, a political choice that they have the freedom to make. The issue is whether the BDS movement is substantially antisemitic, given that its leaders advocate eliminating the Jewish state. By fudging the difference, the Declaration demolishes a straw man and confuses the issue.

Item 13 of the Jerusalem Declaration concludes 'Thus even if contentious, it is not antisemitic, in and of itself, to compare Israel with other cases, including settler-colonialism or apartheid.' Of course such comparisons carry largely inescapable political implications. Declaring Israel a settler-colonialist state sends a message that Israel in toto is occupied territory, established to exploit Palestinians and deprive them of their rights. It makes Israel a vestige of nineteenth-century imperialism and suggests that the inexorable movement of history has rendered the nation obsolete. One can deduce that Israel's eventual elimination is inevitable. Comparisons between South African apartheid and the policies in force on the West Bank, while eliding the fundamental political and social differences between the two systems and misrepresenting the Israeli-Palestinian conflict as a racial one, can at least highlight the dangers inherent in formal

annexation. Accusations that Israel within its pre-1967 boundaries is an apartheid state are both false and invidious. They are wielded to add a stronger moral imperative to an eliminationist motive: Israel, like apartheid South Africa, is a morally abhorrent entity that must be dissolved.

Yet the language of Item 13 is so general that it can include comparisons between Israel and South African apartheid that are manifestly untrue. The item opens by citing ‘evidence-based criticism of Israel as a state,’ suggesting this is all about sensible academic debate. In fact denunciations of Israel as apartheid are largely neither reasoned nor evidence-based. When UCLA’s Saree Makdisi in his essay ‘Apartheid / Apartheid / []’ declares that Israel’s ‘apartheid regime’ is actually worse than South Africa’s, he indulges in pure invective, offering no proof. And when he falsely asserts that none of Israel’s Basic Laws guarantee equality of citizenship, that there are no High Court rulings upholding equality as a right, and that ‘every major South African apartheid law has a direct equivalent in Israel and the occupied territories today’ (“Apartheid / Apartheid / [],” 310), his indifference to offering supportive evidence can be documented and his claims disproven, as I do at length in *Israel Denial* (161-174).

The confusions in the Declaration multiply when we get to the opening of Item 15: ‘Political speech does not have to be measured, proportional, tempered, or reasonable to be protected’ People engaged in intemperate political speech should not be sanctioned, though autocratic regimes certainly do so. But intemperate political speech is not and should not be protected from criticism and condemnation. Unstated, but implied, is the familiar complaint that anti-Zionist advocacy is being silenced when it is simply being condemned.

The bland language referencing ‘other historical cases,’ moreover, obfuscates the signal omission here, an omission that is definitional for the Jerusalem Declaration. For the historical case that is really at issue, despite its absence from the Declaration, is Nazi Germany, a fact that should be obvious to any reasonably knowledgeable reader and thus certainly to every one of the 200 people who endorsed the document. The IHRA Definition cites ‘drawing comparisons of contemporary Israeli policy to that of the Nazis’ as one of its key examples of antisemitism. Indeed, such comparisons are really statements of equivalence. Some, like journalist Anthony Lawson, as Makdisi does with the South Africa analogy, insist that ‘Israel’s policies are worse than Nazi Germany’s ever were’ (quoted in Harrison 150).

The rhetoric escalates, and it can have consequences, among them a belief that ‘large numbers of Jews must be as much enemies of humankind as were the Nazis, since they support, and are therefore presumably accessory to, the commission of these putatively equally egregious crimes’ (Harrison 460). As Alan Johnson writes, ‘treating Israelis or Jews or Zionists as “Nazis” is obscene; it verges on the demonic in its cruelty as it implicitly demands, as a matter of ethical obligation no less — and this after the rupture in world history that was the Shoah — the destruction of the Jewish homeland as a unique evil in the world, no better than the Third Reich, the perpetrator of the Shoah’ (54). The Declaration opens its second general

observation by stating ‘What is particular in classic antisemitism is the idea that Jews are linked to the forces of evil.’ And yet the foremost contemporary manifestation of that association, the identification of the Jewish state with the Third Reich, is one the Declaration never acknowledges as antisemitic.

Why? The omission is certainly deliberate. Among the signatories are Holocaust scholars Omer Bartov, Wolfgang Benz, Doris Bergen, Micha Brumlik, Amos Goldberg, Atina Grossmann, Wolfgang Gruner, Marianne Hirsch, Marion Kaplan, Dominick LaCapra, Mark Roseman, Michael Rothberg, and Raz Segal, along with many scholars of antisemitism and Jewish history who will have noted the omission. Perhaps it was thought impolitic to ask assent to the statement that calling Israelis and their Zionist supporters worldwide ‘Nazis’ is not ‘on the face of it’ antisemitic. Perhaps it was thought impolitic to ask those of the signatories who themselves have indulged in the Israel/Nazism comparison — indeed who insist on, highlight, and endorse that comparison — to classify their own work as antisemitic.

The phenomenon of a group of Holocaust scholars being alienated from and hostile to Israel, I should emphasise, is not new. It dates back at least a generation. The revival of antisemitism across the bloodlands of Eastern Europe, however reminiscent of the sorrows of the Shoah, has not, so far as I know, caused any of them to change their positions — even though the need for a Jewish homeland outside Europe seems urgent again. My former colleague Michael Rothberg has long been philosophically and politically opposed to the very concept of a Jewish state. Some Holocaust scholars have signed BDS petitions. Yet I believe harboring anti-Zionist convictions requires Holocaust scholars to manage inner contradictions of a special character; their emotions are not quite the same as those the average Jewish Voice for Peace member experiences.

Perhaps such inner conflicts underlie Brown University’s Omer Bartov’s overwrought accusation about the Working Definition: ‘this definition and the kind of thinking it has come to embody enable Israel to justify its support for oppressive regimes that persecute minorities, suppress the opposition and even engage in antisemitic demagoguery, provided they don’t criticise Israel’s occupation policy.’ It is neither responsible nor rational to lay Israel’s sometimes ill-advised foreign policy at the feet of the Working Definition, let alone a vague ‘kind of thinking.’ Whatever kind of thinking is responsible did not originate with the Definition. Like other Holocaust scholars, Bartov seems enraged that the Working Definition is associated with a Holocaust Remembrance association, so he adds without offering any evidence that the kind of thinking at issue ‘diverts attention from the tendency toward Holocaust denial or distortion of Holocaust remembrance on the national level as in Hungary and Poland.’ My own sense is that attention to those phenomena is increasing, not decreasing, partly as a result of attention given to the Working Definition. Anti-Zionist Holocaust scholars can engage in their own odd version of Holocaust denial. I had one conversation with an internationally

known Holocaust scholar who vehemently insisted the Holocaust itself had nothing to do with the founding of the Jewish state.

The full list of those signing the Declaration includes fierce and uncompromising anti-Zionists who cross a line into antisemitism, among them Richard Falk, along with a number of Jewish faculty who have grown disenchanted with Israel and now endorse the BDS movement but who may not yet be ready to demand Israel's dissolution. As David Schraub writes in a piece about the Jerusalem Declaration (JDA), 'Richard Falk is a signatory, even though he's endorsed materials which seem to cleanly fall under categories the JDA deems antisemitic. Jackie Walker praised the JDA too even though her antisemitism likewise would be covered by the JDA.' It is important to add that Falk has done far more than endorse other anti-Semites. In a report for the UN that Falk coauthored with Virginia Tilley, Israel is faulted for its 'apparent annexationist, colonialist, and ethnic-cleansing goals.'" In 'Slouching toward a Palestinian Holocaust,' he writes, 'Is it an irresponsible overstatement to associate the treatment of Palestinians with this criminalized Nazi record of collective atrocity? I think not.' In an interview with C. Gouridasan Nair, after rejecting the terrorist tactic of killing civilians, he allowed that 'The armed settlers are an ambiguous category.' These are but a few of a great many such interventions. Sergio Luzzato, a University of Connecticut historian who signed, has endorsed the despicable effort to revive the belief that Medieval myths of Jews carrying out ritual murders of Christian children to obtain their blood for use in Passover preparations were true, most notoriously in his sympathetic review of Ariel Toaff's *Pasque di sangue* (Bloody Passovers), where he claimed that some Jews carried out human sacrifices several times (Loriga). Luzzato insisted that Jewish 'confessions' obtained through torture should not be routinely discounted. As a colleague suggested, Luzzato may well be the main person responsible for the revival of blood libel in the 21st century. Exactly what would lead such people to sign a statement and thereby carry out a self-condemnation? Obviously rationalisation and self-deception may play a role in the decision, but they cannot be decisive for everyone. Like others who signed, they seem less interested in defining and countering antisemitism than in normalising anti-Zionism.

One collective motive seems comprehensible. Item 12 seeks to find a space ostensibly critical of antisemitism that can accommodate both established anti-Semites and less virulent anti-Zionists and in that way pardon them all:

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.

Setting aside the obvious and repeated allusion to anti-Zionism's favorite slogan, 'From the river to the sea, Palestine will be free,' we are left with a principled-sounding 'arguing for

a variety of constitutional arrangements' that happen to contradict the constitution of the Jewish state. Such options would only be 'constitutional' in Israel if the current constitution were scrapped. 'Arguing for' is not simply a debating proposition; in reality it occurs as a political demand that one of a series of non-Jewish options be imposed on Israeli citizens. No provision is made for their right to decide their own political future. This sleight of hand may have bamboozled some inattentive faculty into endorsing the Declaration. Others may have been drawn to join people they respect: 'Michael Walzer signed; it must be OK.' The IHRA includes 'denying the Jewish people their right to self-determination' among its examples of antisemitism. The Jerusalem Declaration adopts that very antisemitic strategy of denying the right to self-determination under the cover of offering multiple options. That is the Declaration's main political intervention. And, 'on the face of it,' it presents a problem. It is not for a group of international academics to make that decision; it is for Israelis. Long time anti-Zionist and one of the authors of the Declaration, Brian Klug of Oxford University is among those falsely assuring us that, unlike the Working Definition, the Declaration '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.'

The Declaration offers modest criticism of antisemitism as a cover for endorsing the most antisemitic of all relevant political projects, eliminating the Jewish state. The blogger Elder of Zion describes it as 'an effort to carve out a space for anti-Zionists to advocate for the elimination of the Jewish state without being accused of anti-Semitism.' In what is surely its most disingenuous declaration, it tells us it is antisemitic to deny '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,' a right that no realistic observer believes a Jewish minority in Palestine would enjoy. That is of course the universal fantasy, disingenuous or self-deluded, in which one-state enthusiasts invest their hopes. Few Israelis share their confidence. Perhaps some uneasiness about that imagined future is warranted by the Palestinian BDS National Committee's response to that passage in the Declaration:

some may abuse this to imply equal political rights for the colonizers and the colonized collectives in a settler-colonial reality, or for the dominant and the dominated collectives in an apartheid reality, thus perpetuating oppression Moreover, should Palestinian refugees be denied their UN-stipulated right to return home in order not to disturb some assumed 'collective Jewish right' to demographic supremacy? What about justice, repatriation and reparations in accordance with international law and how they may impact certain assumed 'rights' of Jewish-Israelis occupying Palestinian homes or lands?

THE NEXUS DOCUMENT

Throughout the ten-year development and revision of the IHRA Definition it has been identified as a 'Working' Document. The continuing assaults on its meaning and purpose

may have discouraged some from attempting to clarify and amplify it. Instead, its supporters have defended it and promoted its adoption. Meanwhile, despite the controversy, people in state agencies, NGOs, educational, and religious institutions have gained a better and more grounded understanding of how antisemitism is manifested in the contemporary world. And the controversy has, as always in such cases, drawn more attention to the Definition.

But it is time for the Definition to acquire its own body of explanatory literature. Despite what some have said, that is not a weakness of the Definition. It is inherent to the genre of statements of principle or manifestos that seek wide, even international, endorsement. Too much detail and people raise objections. All the statements reviewed here are concise. In fact it is remarkable that the IHRA has won the level of support it has. The Fathom collection cited earlier is an important development in that process of elaboration. I consider the March 2021 Nexus Document to be a largely friendly if problematic amendment to the original, even though it was not explicitly drafted as a point-by-point response. It was drafted by a working group, the Nexus Task Force, as a project of the Knight Program on Media and Religion at the Annenberg School of Communication there. Unlike the Jerusalem Declaration as well, the USC working group did not seek outside endorsers and signatories.

The Nexus Document's opening definition of antisemitism is quite clear and avoids the problems of the Working Definition's version, though it should at least add 'theories' to its first sentence:

Antisemitism consists of anti-Jewish beliefs, attitudes, actions or systemic conditions. It includes negative beliefs and feelings about Jews, hostile behavior directed against Jews (because they are Jews), and conditions that discriminate against Jews and significantly impede their ability to participate as equals in political, religious, cultural, economic, or social life.

Bernard Harrison would find this definition embodies social antisemitism but not political or ideological antisemitism. 'One is indeed an emotional disposition: one consisting in hostility to individual Jews as Jews. The other is a body of explanatory pseudo-explanatory theory concerning the Jewish community considered as a supposedly coherently organised and unified political force' (422). Social antisemitism 'is not a theory of any kind but rather a state of mind' (423). The opening sentence of the Working Definition's definition — 'Antisemitism is a certain perception of Jews, which may be expressed as hatred of Jews' — gives the same traditional emphasis to social antisemitism.

The Nexus definition thus fails to account for the way contemporary antisemitism serves as a body of theory that claims to explain the world. Thereafter Nexus offers two lists, 'What is Antisemitic' and 'What is Not Antisemitic.' Both lists concentrate on Israel, as it is the major disputed context for defining contemporary antisemitism. But like the Jerusalem Declaration,

the aim is not simply to address the area of maximum controversy. Both documents want to open a space for tolerable forms of anti-Zionism. But as Kahn-Harris observes, 'It is difficult to judge something as "just" offensive and objectionable rather than antisemitic.'

Writing as a Nexus contributor, David Schraub provides an informative gloss on one of the items in the first list:

while the nexus between Israel and antisemitism often focuses predominantly on 'left' critiques, it was important for us to articulate practices on the right with relation to Israel which have subjected many Jews to antisemitic abuse or harassment. It is antisemitic, we said, to 'Denigrat[e] or deny[] the Jewish identity of certain Jews because they are perceived as holding the 'wrong' position (whether too critical or too favorable) on Israel.' This is something that many liberal Jews (and in particular many Jews of color) have experienced, sometimes from other Jews, often from non-Jews, and it absolutely should be viewed as a form of antisemitism.

Nexus makes a special effort in the second list to define what kinds of anti-Israel commentary are not necessarily antisemitic, allowing that they may sometimes be. That effort is generally consistent with the IHRA insistence on considering the full context when evaluating statements. But the Nexus attempt to provide more nuanced guidelines for determining what is and is not antisemitic inevitably raises complications. Nexus tells us that 'Even contentious, strident, or harsh criticism of Israel for its policies and actions, including those that led to the creation of Israel, is not per se illegitimate or antisemitic.' Journalist Ben Cohen points out that the authors give no examples of strident criticism that they find acceptable or unacceptable, making this abstracted principle difficult to accept. They apparently did consider examples in the drafting process, but they are not cited, and the author I consulted could not recall them. In the real world, especially on social media, stridency gains attention for hate speech and anti-Zionism. It can make antisemitism more influential, amplifying its impact. Contrary to what the Nexus authors seem to believe, stridency is not easily separable from content. In evaluating a statement or a publication for its antisemitic character, stridency is not an independent variable, but it can be powerful evidence. The Nexus authors chose not to say so.

Other questions arise from this Nexus claim: 'Opposition to Zionism and/or Israel does not necessarily reflect specific anti-Jewish animus nor purposefully lead to antisemitic behaviors and conditions. (For example, someone might oppose the principle of nationalism or ethnonationalist ideology. Similarly, someone's personal or national experience may have been adversely affected by the creation of the State of Israel. These motivations or attitudes towards Israel and/or Zionism do not necessarily constitute antisemitic behavior.)' Critics of the Jewish state who want to see it dissolved, among them Judith Butler, sometimes announce that the era of the nation state has run its course, that nations will soon disappear from the earth. In reality, pernicious forms of nationalism are thriving. But surely it is significant that Butler

and other anti-Zionists do not call for the elimination of the US, Britain, Germany, France, India, Pakistan, Bangladesh, or other nations, among them some whose establishment might be linked with ethnic nationalism; they just want the forces of history to eliminate Israel. I am thus taking issue with those who only deny Jewish self-determination; their declarations do not represent the consistent application of the political theory they claim to advocate. It is hard, for example, to imagine a dedicated anarchist calling for the dissolution of Israel alone.

It is true, as the Nexus point implies, that personal experience of discrimination or injustice can trigger hostility to Zionism, but that does not eliminate a given statement's antisemitic meaning or effects. It helps explain a person's motivations, not necessarily the statement's content. Indeed, motivation is often irrelevant. That is especially clear in the case of brief anti-Zionist or antisemitic statements on social media; like other brief comments, they can circulate in thoroughly impersonal and decontextualised forms. But even an anti-Zionist book need not arrive trailing its author's personal or family history. The case an argument makes needs to be evaluated on its own terms, not excused because of what its author may have felt. Of course sometimes an argument is inflected in ways only personal experience can explain, but Nexus is aiming for a general reason to excuse antisemitic anti-Zionism.

The concluding claim from the second list is 'Paying disproportionate attention to Israel and treating Israel differently than other countries is not prima facie proof of antisemitism.' Given the prima facie modifier, that statement is fair. But it does not take a great deal of reflection to realise that the UN's hostile and exclusive obsession with Israel represents a form of antisemitism. That Nexus statement may be combined with one from the previous Nexus list: 'It is antisemitic to advocate a political solution that denies Jews the right to define themselves as a people, thereby denying them — because they are Jews — the right to self-determination.' Although the authors had not seen the Jerusalem Declaration, the Nexus entry demolishes the approval the Declaration grants for the denial of Jewish self-determination. And the IHRA argument that 'Applying double standards by requiring of it [Israel] a behavior not expected or demanded of any other democratic nation' remains an essential qualification. One conclusion we can draw from this limited comment on The Nexus Document is that there are benefits to be gleaned from putting the three texts in dialogue with one another.

CONCLUSION

It is a good thing overall to have people thinking about the nature of antisemitism, what forms it takes, what its boundaries are. But the definition of antisemitism is now an enhanced arena of cultural struggle. Indeed, as a result of such critiques as those this essay has documented, the meaning of the IHRA examples of antisemitic views about Israel has been complicated. Some people will be confused by the debate. Others will find their existing positions reinforced and hardened. Nor is this just an abstract debate about rhetorical options and definitions. The objections to the Working Definition are often fundamentally efforts to validate political and

material assaults on the Jewish State itself. Those who care about antisemitism and Israel will have to engage in the conversation.

Other challenges and amplifications will follow, but the IHRA Definition will continue to hold its own and sustain the struggle against antisemitism. Meanwhile, we should also remain aware of the things the Working Definition cannot do. By classifying current examples of antisemitism, it can help identify the inspiration for antisemitic acts, including violent ones, but it does not attempt to unpack all the individual motivations behind them. Deborah Lipstadt of Emory University has expressed her wish that ‘If I call someone an antisemite, it should have the sting of a thousand cuts’ (Ziri), an effect that is one of the legacies of the Holocaust. Unfortunately, the internet and social media have produced a certain normalising of classic antisemitic tropes, and they have enabled anti-Semites to make contact with one another and replace isolation with a pernicious form of community. Neither trend can simply be laid at Israel’s doorstep. It is not easy to see how we can recover the wider consensus that made the stigmatising of antisemitism possible.

Indeed, the debate may yet intensify. At an April 6th webinar, ‘Weaponizing Anti-Semitism: IHRA and Ending the Palestine Exception’ organised by the US Campaign for the Academic and Cultural Boycott of Israel, Heike Schotten of the University of Massachusetts Boston read a collective position paper that offered a stark conclusion: ‘The dangers of IHRA cannot be overestimated.’ Among the misguided assumptions she identified as guiding the Working Definition are these: ‘that Jews comprise a unified “people”; that an apartheid political structure can also, simultaneously, be a democratic national entity.’ Cornel West, who preceded Richard Falk as a speaker, had his own spin on the latter claim: ‘Whatever you call it, apartheid, neo-apartheid, crypto-apartheid, quasi-apartheid, it’s a crime against humanity.’

Contextualising potentially antisemitic statements and documents, as the IHRA Definition insists we do, can also involve substantial investigation and analysis, neither of which is facilitated by the hyperbolic warnings the Definition’s opponents have voiced. The attacks on the Definition also obscure the need to promote justice for both Israelis and Palestinians. There are no grand resolutions to the conflict in sight; instead, we can turn to reasoned advocacy and practical improvements in the material conditions of daily life. Being able to reject some arguments as antisemitic makes it possible to rule them inadmissible and establish a social and discursive space in which mutual respect can be promoted.

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