



Testimony in Opposition to *An Act Relative to the International Holocaust Remembrance Alliance Definition of Antisemitism* (H.1763)

July 15, 2025 Hearing

Dear Chair Day, Chair Edwards and members of the Joint Committee on the Judiciary,

Together for an Inclusive Massachusetts is a group of Jewish, Muslim, labor, education, civil rights and other organizations and individuals advocating for justice and equity in the Commonwealth. Our alliance includes representatives from the Alliance for Water Justice in Palestine, Arlington for Palestine, Boston Workers Circle, Council on American-Islamic Relations - MA, Jewish Voice for Peace Boston, If Not Now Boston, Mass Peace Action, National Lawyers Guild - MA, Sawa: Newton-Area Alliance for Peace and Justice, Worcester Havurah and many others.

Our goal is to work collectively to ensure that Massachusetts policy makers address antisemitism using an anti-racist, solidarity framework. We reject partisan efforts to exclude Jewish people who are critical of Israel or to redefine antisemitism in a way that harms Palestinians.

TIM urges the Committee to reject H.1763 and adversely report the bill as “ought not to pass.” We ask that you reject any policy or legislation that directly conflates anti-Zionism and antisemitism, such as recommendations that are based on the IHRA (International Holocaust Remembrance Alliance) definition of antisemitism.

Antisemitism is a real problem in the Commonwealth, and one that deserves serious attention. In a time when discrimination and bigotry is being platformed and emboldened nationally, the Commonwealth must protect and support our Jewish communities, alongside all communities facing increased threat to their safety. However, it is not possible in today’s climate to address antisemitism without discussing the conflation of antisemitism and criticism of Israel, including opposition to Zionism as a political ideology. It is critical for policy makers to ensure that we do not address antisemitism in a way that negatively impacts the rights of Palestinians, encroaches on free speech or uses an understanding of antisemitism that conflates antisemitism with criticism of Israel.

What does the bill do?

If passed, this bill would impose the IHRA definition on public and private employers and would impact employers' harassment policies, employee discipline, and what employees can do. It would chill free speech and advocacy for Palestinian justice or criticism of Israel in Massachusetts.

What is Antisemitism?

[Antisemitism](#) is hostility, discrimination, prejudice, and violence toward Jews as Jews or Jewish institutions as Jewish. Antisemitic rhetoric and behavior hold Jews collectively responsible for societal ills or perceived evils in the world, resulting in marginalization, persecution, and violence.¹ Examples include, but are not limited to:

- Direct acts of violence against Jews for being Jewish
- Spreading conspiracy theories that Jews are especially wealthy and powerful, control global media and government, and/or will replace other peoples
- Denying or minimizing the Holocaust
- **Holding Jews collectively responsible for actions of the state of Israel or assuming all Jews are aligned with the state of Israel.**

Like any kind of hate or discrimination in our society, anyone no matter their background or political orientation can hold antisemitic views.

The IHRA definition conflates antisemitism and criticism of Israel

In today's national political climate, we have seen accusations of antisemitism that rely on the blanket conflation of antisemitism and anti-Zionism, and even criticism of Israeli government actions more broadly. These accusations have been misused and misappropriated to advance reactionary and repressive politics, such as detaining visa-holding political activists and cutting funding from universities. Such policies claim to protect Jews while dangerously endorsing an antagonism between the human rights and safety of Jewish people, on the one hand, and the human rights and safety of other marginalized groups, on the other. **This in turn, has the potential to actually increase antisemitism by isolating Jewish communities from their neighbors.**

Many academics and experts have worked to parse out the difference between antisemitic speech in the context of Israel/Palestine, and speech that is critical of the State of Israel and/or Zionism as a political ideology but not antisemitic. **It is not the Commonwealth's role to adjudicate the differences of opinion within the Jewish community and among scholars of antisemitism.** In fact, to do so would be a violation of the Establishment Clause of the First Amendment.

¹ Diaspora Alliance, *Antisemitism Explained*, <https://diasporaalliance.co/wp-content/uploads/2024/02/What-is-Antisemitism-Diaspora-Alliance-.pdf>

What is Zionism and anti-Zionism?

Zionism can most simply be defined as the political ideology of Jewish Nationalism. Many understand Zionism as a project for self-determination of the Jewish people, and thus many Jews see it as a core aspect of their identity. For this group, anti-Zionism means opposition to a core part of their Jewish identity.

An increasing number of Jews, as well as many Palestinians and their supporters of all backgrounds, understand Zionism as a political system of inequality and oppression that in practice privileges the rights and lives of Jews in Palestine/Israel over the rights and lives of Palestinians. For this group, anti-Zionism means opposition to that political system of inequality and oppression.

It is also important to note that most people who consider themselves Zionists in America are not Jewish—there are nearly twice the number of members of a single evangelical Christian Zionist organization, Christians United for Israel (10 million) than the entire population of American Jews (approx. 5.8 million). Many Christian Evangelicals who identify as Zionist believe in a theology wherein Jews need to return to the land of Israel in order for the second coming of the messiah to occur, at that point Jewish people would be forced to either convert or be killed. This is an antisemitic idea. It is thus possible to hold Zionist ideology and also harbor antisemitic views, another reason it is important to avoid conflating the two ideas.

Part of the complexity and controversy that comes with the conversation around the relationship between anti-Zionism and antisemitism is the vastly divergent associations these different groups have with the words “Zionism” and “anti-Zionism.” There is no shared understanding of these words within the Jewish community in Massachusetts, let alone in the Commonwealth more broadly.

The IHRA definition is widely disputed and controversial.

The claim by its proponents that the IHRA definition is the “consensus” definition of antisemitism is patently false. Even one of the main drafters of the IHRA definition, Professor Kenneth Stern, frequently speaks out against the way it is being used to [silence legitimate debate](#), saying “[Rightwing Jews are weaponizing it.](#)”²

² Kenneth Stern, *I drafted the definition of antisemitism. Rightwing Jews are weaponizing it*, The Guardian, Dec 13, 2019. <https://www.theguardian.com/commentisfree/2019/dec/13/antisemitism-executive-order-trump-chilling-effect>. See also Kenneth Stern, Testimony to the US Senate Committee on Health, Education, Labor and Pensions, Mar 27, 2025. <https://www.help.senate.gov/imo/media/doc/06e69363-9e5d-54f9-8019-dbe95168b2a9/Stern%20Testimony.pdf>.

- More than 300 scholars (many Jewish) of Holocaust Studies, Antisemitism, Jewish History endorsed [a rejection](#)³ of the IHRA definition and [128 scholars](#)⁴ of antisemitism who urged the UN not to adopt it.
- [The American Association of University Professors](#) condemned it as a threat to academic freedom.⁵
- [More than 100 civil society groups](#), including Human Rights Watch, Amnesty International, the ACLU, B'Tselem, and the Palestinian Centre for Human Rights urged the U.N. not to adopt it.⁶
- Dozens of U.S. Jewish organizations including [Union for Reform Judaism, the Central Conference of American Rabbis, and Women of Reform Judaism](#) say it should not be codified into law.⁷
- [Harvard University scholars of Jewish studies](#) filed an amicus brief in Harvard's federal lawsuit that Harvard's adoption of the IHRA definition not only misrepresents Jewish diversity, they violate Title VI of the Civil Rights Act by subjecting Jews to harmful stereotypes about what constitutes "authentic" Jewish identity.⁸
- The [American Civil Liberties Union](#),⁹ the [Center for Constitutional Rights](#),¹⁰ the [National Lawyers Guild](#),¹¹ and [Palestine Legal](#)¹² call it a threat to free speech.

³ Jerusalem Declaration on Antisemitism, <https://jerusalemdeclaration.org/>

⁴ *128 scholars warn: 'Don't trap the United Nations in a vague and weaponized definition of antisemitism.* Nov 3, 2022. <https://media.euobserver.com/9e86df02ddf67c6046d190b65e4380df.pdf>

⁵ American University of University Professors, *Legislative Threats to Academic Freedom: Redefinitions of Antisemitism and Racism*, Mar 2022. <https://www.aaup.org/report/legislative-threats-academic-freedom-redefinitions-antisemitism-and-racism>

⁶ *Human Rights and other Civil Society Groups Urge United Nations to Respect Human Rights in the Fight Against Antisemitism*, Apr 4, 2023. <https://www.hrw.org/news/2023/04/04/human-rights-and-other-civil-society-groups-urge-united-nations-respect-human>

⁷ *Reform movement: IHRA definition of anti-Semitism is helpful but should not be codified into law*, Jewish Telegraphic Agency, Jan 25, 2021. <https://www.jta.org/2021/01/25/united-states/reform-movement-ihra-definition-of-anti-semitism-is-helpful-but-should-not-be-codified-into-law>

⁸ Barry Trachtenberg, Victor Silverman, Atalia Omer, Raz Segal, Rebecca T Alpert and Judith Butler, *Harvard appears to think all Jews support Israel. That is discriminatory*, The Guardian, Jun 12, 2025. <https://www.theguardian.com/commentisfree/2025/jun/12/harvard-jews-srael-discriminatory>

⁹ ACLU, *Reject Definitions of Antisemitism that Encompass Protected Speech*, Feb 6, 2024. <https://www.aclu.org/documents/reject-definitions-of-anti-semitism-that-encompass-protected-speech>

¹⁰ Center for Constitutional Rights, *Letter: Civil Rights Groups Demand DOE Reject IHRA Definition of Antisemitism*, Jan 18, 2024. <https://ccrjustice.org/letter-civil-rights-groups-demand-doe-assistant-secretary-marcus-end-attacks-free-speech>

¹¹ ACLU, Americans for Peace Now, Center for Constitutional Rights, Foundation for Middle East Peace, and Palestine Legal, along with 37 other organization signatories. *Letter to Co-Sponsors of Proposed American Bar Association Resolution 514 on Antisemitism*, Jan 19, 2023. <https://www.aclu.org/documents/letter-co-sponsors-proposed-american-bar-association-resolution-514-antisemitism>

¹² Palestine Legal, *Backgrounder on Efforts to Redefine Antisemitism as a Means of Censoring Criticism of Israel*, updated Jan 2020. <https://palestinelegal.org/redefinition-efforts>

Codifying this definition in Massachusetts would create a legislative nightmare.

There are no legally binding definitions for other forms of ethnic, racial or religious discrimination in MA antidiscrimination law. Singling out antisemitism for definition would create a legal anomaly that could only be fixed by attempting to define all forms of discrimination as well. Adoption of the IHRA definition threatens [Constitutional protections](#) against state establishment of religion by setting boundaries of Jewish identity, belief, and belonging.

Defend our democracy against those who seek to undermine our civil rights.

Constitutionally protected free speech is a foundational civil liberty that makes our communities safer and stronger. Criticism of Israel, including opposition to Zionism as a political ideology, is not inherently antisemitic, and painting all pro-Palestine and anti-Zionist speech as such undermines both our ability to discern and dismantle actual antisemitism and our ability to advocate for the safety and freedom of all people in Israel/Palestine.

Antisemitism can and must be addressed within a framework of safety and freedom for everyone. Historically, societies where Jewish communities have thrived with lower incidences of antisemitism are societies that have had strong rights and protections for all minority groups. Meaningfully combating antisemitism must include both fighting antisemitism and fighting its sibling hatreds: racism, Islamophobia, White Nationalism, and xenophobia, as well as addressing the underlying conditions, such as economic inequality, that help fuel antisemitic conspiracy theories.

Thank you for considering our testimony. Please contact Together for an Inclusive Massachusetts at info@inclusivemassachusetts.org or www.inclusivemassachusetts.org