



# Defining antisemitism on UK campuses: lived experiences of the IHRA definition

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## EXECUTIVE SUMMARY

The introduction of the International Holocaust Remembrance Alliance (IHRA) “Working Definition of Antisemitism”<sup>1</sup> and its subsequent adoption by many UK universities has triggered much debate. Public reception to the definition varies. Proponents praise the definition’s utility in clarifying what constitutes antisemitism, and they believe that it thereby helps in the attempt to combat this form of hate crime. However, critics view it as an ineffective definition and a concerted effort to censor legitimate criticism of Israel.

Too often, the views of participants in the debate on the IHRA definition are presented in opinion pages and newspaper columns in binary terms. Largely missing has been the question of the definition’s impact on people’s lived experience on campus. This includes whether the IHRA definition has helped Jewish students feel safer on campus, or if the definition has altered how academic conversations on Israel/Palestine are conducted. Tackling this question urgently demands empirically driven research acquired from direct engagement with the definition’s relevant stakeholders.

Throughout this report, we analyse the different experiences and viewpoints of academics and students in the UK towards the IHRA definition. We draw from in-depth interviews conducted online between March and April 2021 with 33 anonymous participants, including Jewish students and academics, members of Palestinian Solidarity groups and community activists.

We find that pro-IHRA participants emphasised the emotional need for a specific definition on antisemitism. They believe that UK universities’ adoption of the IHRA definition shows a symbolic commitment to the seriousness of antisemitism. With the correct infrastructure, it is believed that the IHRA definition can help to combat antisemitism on campus; for instance by helping students and staff to “understand where the line is” of what constitutes antisemitism. The IHRA definition, hence, should be

seen as complementary to existing legislation and university ‘codes of conduct’, not as a substitute.

Participants who reject the IHRA definition, however, were more concerned about the consequences that already have, or could, occur following a university’s adoption of the definition. Contrary to some suggestions, we found that participants’ reservations about the IHRA definition mainly pertain not to the definition’s explicit intent to stifle free speech, but to the *implicit* coercion to avoid certain topics on Israel/Palestine. Although our participants generally understood that the IHRA definition does permit criticism of Israel, the level of tolerable criticism was below what they perceived as legitimate. Jewish students, Israeli academics and members of Palestinian solidarity organisation alike expressed serious concern about the “chilling effect” created by the IHRA definition and how free speech on Israel/Palestine, is or may be discouraged.

Moreover, some participants raised considerable apprehension about the campaign for campuses to implement a specific, independent definition of antisemitism (such as the IHRA definition) that is distinct from existing general legislation<sup>2</sup> and university approaches towards hate crime incidents. Importantly, some participants were concerned that the politicisation of the IHRA definition has diverted attention and energy away from a much-needed collective effort to combat antisemitism. Participants from both sides of the debate concerning the IHRA definition emphasise the need for a broader programme of education and cross communal work to tackle the problem of antisemitism at universities.

**NB: The authors of the report conduct this research in their capacity as Peace Advocacy Fellows (2020-2021) of the Balfour Project. All five authors are either currently studying or have recently graduated.**

1 Henceforth referred to as the IHRA definition

2 See, for instance, the 2010 Equality Act.

## INTRODUCTION

University campuses should be spaces in which knowledge is gained, ideas are shared, beliefs are critically challenged and respect is taught. Yet, over the past several years, many university campuses throughout the UK have been the sites of serious and challenging debates, subject to the UK Government's adoption of the IHRA working definition of antisemitism<sup>3</sup> as of December 2016.<sup>4</sup>

The following report is guided by the key debates among those affected by the IHRA definition of antisemitism. This includes issues of academic freedom, the risk of silencing Palestinians, the efficacy of the definition in genuinely combating antisemitism and the consequences of situating antisemitism as a specific type of hate crime. Considering these debates in context to actual *lived experience*, we hope to open up greater possibilities for critical, constructive debates concerning the IHRA definition; alongside a richer empirical understanding of the consequences of its ongoing implementation across UK universities.

Our research has been consistently guided by the desire to give voice to a wide range of people on UK campuses who are affected, directly or indirectly, by the IHRA definition. Having conducted interviews with 33 individuals, this report draws from a rich and diverse set of lived experiences and expertise. From university students involved in faith-based societies, Palestinian Solidarity societies and peace societies, to academics teaching on the Israeli-Palestinian Conflict and providing pastoral support to students and staff subject to antisemitism, the following report sincerely engages with these conversations, placing them in dialogue with one another.

### REPORT STRUCTURE

The report begins by providing an overview of the origins of the IHRA definition through to its current implementation and utilisation by the UK government and several UK universities. Our methodological approach to conducting primary

research is then outlined, detailing our research sample, interview technique, data collection and anonymity.

#### The report details three key themes:

- > The power of the IHRA definition: an effective tool or symbolic gesture?
- > The IHRA definition and its discourse-shifting role
- > 'The quest for a definition': a specific framework or general legislation?

The first chapter of our report explores the efficacy of the IHRA definition on UK campuses. A handful of participants believed that on campus, the IHRA definition helped students and staff to "understand where the line is" of what constitutes antisemitism. This allocated role of the IHRA definition as an education tool led some Jewish students to feel safer on campus. Yet other participants raised concern over the true intentions of universities when it came to adopting the IHRA definition. Some felt that political pressures being put on universities made them adopt the definition, but in reality, they did so as a "lip service" rather than a genuine commitment to combating antisemitism. Finally, this chapter reflects on how for three participants, IHRA was seen as "just a symbolic thing" and does not have the ability to reduce the amount of antisemitism that occurs on campus, or make Jewish students feel safe online and in person.

The second chapter discusses the IHRA definition's role in influencing the public conversation on Israel/Palestine in the UK, especially on campuses. The chapter recorded the incidents reported by our interviewees when the IHRA definition is invoked to censor activities and expressions on Israel/Palestine. Contrary to some suggestions by the definition's critics, we found that participants' reservations about the IHRA definition mainly pertain not to the definition's *explicit* abuse to stifle free speech, but to the implicit coercion to avoid certain topics on Israel/Palestine.

3 IHRA. n.d. Working Definition of Antisemitism

4 Torrance, D. 2018, from HM Government website. UK Government's adoption of the IHRA definition of antisemitism

The chapter also revealed that many interviewees understood that the IHRA definition does permit criticism of Israel, but that the level of tolerable criticism was below what they perceived as legitimate.

The final chapter of our report considers the complexities that come with defining antisemitism via a particular definition (as that of the IHRA definition) compared to utilising existing general racism legislation. To do so, this chapter explores the differing understandings of antisemitism among students and academics within the Jewish community who were interviewed for this project. Having illustrated how antisemitism is neither fixed nor absolute, we then consider alternatives to the IHRA definition of antisemitism, alongside some guiding principles in the debate surrounding IHRA.

## THE IHRA WORKING DEFINITION OF ANTISEMITISM

At the time of writing, the IHRA definition is the most internationally cited document that attempts to define antisemitism. It has been officially adopted by more than thirty national governments worldwide and endorsed by several regional and international organisations.<sup>5</sup> The text of the definition was originally formulated by a group of academics and experts at the request of the European Monitoring Centre on Racism and Xenophobia (EUMC) in 2005 and later adopted by IHRA in 2016. The initiative for the definition emerged against the background of a surge in antisemitic incidents in Europe, arguably in correlation to the collapse of the Israeli-Palestinian peace process around the early 2000s.<sup>6</sup>

The IHRA definition consists of two main parts, positioned by its proponents as inseparable from one another. The first is a 38-word statement defining antisemitism, which reads as follows:

*“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.”*

The second part of the IHRA definition lists a set of eleven contemporary examples considered illustrative of antisemitism, whilst emphasising consideration for overall context. Seven among the eleven examples explicitly pertain to the State of Israel. **These are:**<sup>7</sup>

- > Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- > 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 Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- > Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- > Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- > Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- > Holding Jews collectively responsible for actions of the state of Israel.

According to the definition's proponents, such a focus on Israel stems from empirical observation of an increasing trend towards hatred against the Jewish people that increasingly manifests in the demonology of the Jewish state—a phenomenon often described in the literature as “new

5 IHRA. n.d. Working Definition of Antisemitism

6 Baker, A. et al. 2021. The Origins of the Working Definition, pp.8–11.

7 IHRA. n.d. Working Definition of Antisemitism

antisemitism".<sup>8,9,10</sup> Therefore, the examples about Israel in the IHRA definition are considered by such proponents as essential for the public to identify the tropes and expressions whereby anti-Zionism may be articulated as a contemporary form of antisemitism.

One reason behind the UK government's adoption of the IHRA definition in December 2016 was the rise in recorded cases of antisemitism, more widely in British society and more specifically on UK campuses.<sup>11</sup> Since 2016, antisemitism continues to be a pervasive and serious problem. An investigation by the Community Security Trust (CST) published in December 2020 reported that between 2018-2020, 123 antisemitic incidents in 34 different towns and cities in the UK had been reported.<sup>12</sup> Indeed, dozens of these incidents featured antisemitic tropes as similarly detailed in the eleven IHRA definition examples - such as making offensive "stereotypical allegations about Jews" or "using symbols associate with classic antisemitism".<sup>13</sup>

This rise in antisemitism led some Jewish students, academics, organisations, religious leaders and politicians to complain of the "absence of an operational definition"; and to lead in turn to a push for a more specific and detailed definition of antisemitism.<sup>14</sup> For such individuals, the IHRA definition might therefore be considered a satisfactory definition of antisemitism. In their view, the document details the multifaceted nature of antisemitism and thus should be rolled out as guidelines to all universities and wider public sectors in the UK to tackle antisemitism.

However, such a push to adopt the IHRA definition has met considerable objection, including from some notable Jewish organisations.<sup>15</sup> Critics have highlighted ambiguities in the definition that make it difficult to provide straightforward guidelines to identify antisemitic remarks. The difficulty proves particularly daunting for Palestinians, pro-Palestinian advocates, and Jews critical of Israel who are under constant pressure to adjust their activism in line with the discursive boundaries that the definition sets.<sup>16</sup> This difficulty is even more pronounced given the recorded cases where the IHRA definition has been used to cancel events and activities that would have otherwise taken place.<sup>17</sup>

One notable criticism of the IHRA definition has been based on its claim that denying Jews the right to self-determination is potentially antisemitic. This risks censure of "all non-Zionist visions of the future of the Israeli state" including that of the BDS (Boycott, Divestment, and Sanctions) movement.<sup>18</sup> Some have gone so far as to argue that the definition's targeting of the BDS movement is "by design, not by accident".<sup>19</sup> Evidence supporting such an argument includes statements by Mark Weitzman, from the Simon Wiesenthal Center, a spearhead organisation in support of the IHRA definition. Weitzman confirms that the IHRA definition is used by several European countries to condemn anti-Zionism and BDS, alongside explicit acknowledgement by Israeli government officials of the definition's role in combating Palestinian activism.<sup>20</sup>

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8 Rosenfeld, A. H. 2015. Deciphering the New Antisemitism

9 Hirsh, D. 2021. It Was the New Phenomenon of Israel-Focused Antisemitism That Required the New Definition of Antisemitism, pp.15-26.

10 Johnson, A. 2021. The IHRA Helps Us Understand and Combat the New Antisemitism. That's Why It Is Needed, pp.51-57.

11 U.K. Government. 2016. Government leads the way in tackling anti-Semitism.

12 CST. 2020. Campus Antisemitism in Britain 2018-2020.

13 IHRA. n.d. Working Definition of Antisemitism.

14 Equality and Human Rights Commission. 2020. ECRI's Opinion on the IHRA Working Definition of Antisemitism.

15 Sharon, J. 2021. Progressive Jewish groups oppose codification of IHRA antisemitism definition

16 Gould, R. R. 2020. "The IHRA Definition of Antisemitism: Defining Antisemitism by Erasing Palestinians".

17 Stern-Weiner, J. 2021. The Politics of a Definition: How the IHRA Working Definition of Antisemitism Is Being Misrepresented

18 The Guardian. 2020. Palestinian rights and the IHRA definition of antisemitism.

19 White, B. 2020. Vashti | The IHRA censors Palestinians by design, not by accident.

20 Ibid.

Another criticism points towards the definition's insular focus on antisemitism as a specific form of racism. Due to the socio-political division that debates surrounding the IHRA definition have led to, there seems to be an apparent risk of the definition becoming disconnected from the broader struggle against all forms of racism. Refuting the assumption that mere speech-coding regulation is 'a failsafe solution' to antisemitism, some have argued that the definition is ineffective because it narrowly situates the issue of antisemitism in "individual culpability rather than in a broader social justice framework".<sup>21</sup>

For critics of the IHRA definition in the UK, a preferred approach is to situate the efforts to combat antisemitism under the wider rubric of existing anti-discrimination and hate speech regulations, most notably the 2010 Equality Act.<sup>22</sup> The Act has proven its utility in the handling of the inquiry into alleged antisemitism within the Labour Party by the Equality and Human Rights Commission (EHRC), which confirmed several breaches by the party. In reaching this conclusion, the EHRC stated in its report that they only apply the definitions as outlined in the Act, declining to further comment on the IHRA definition which it deemed as "not legally binding".<sup>23</sup>

Proponents of the IHRA definition have responded that the document is not a redundancy, arguing that it acts as a complement rather than substitute to existing hate speech legislation.<sup>24</sup> While the Equality Act does provide a legal framework to regulate provocations when they are judged to be antisemitic, it has no instruments that guide them to arrive at that judgement. Therefore, "it is necessary to look for guidance outside it".<sup>25</sup> For the IHRA definition proponents, such guidance is crucial due to the particular characteristics

of antisemitism, just as Islamophobia and homophobia have specific ways in which they manifest. Therefore, many Jews regard existing generalised legislation as dismissive of or at least not able to respond to their concerns. **As one proponent defends:**

IHRA aims to educate people about the specific ways antisemitism comes at Jewish people today. Jewish communities ask institutions to adopt it as an act of good faith. IHRA is not a special privileging of Jews, or of a concern with antisemitism, it is a way of taking it seriously. To say that antisemitism matters is not to say that other issues don't matter.<sup>26</sup>

## THE POLITICS OF THE IHRA DEFINITION

This report comes in the context of a recent push for widespread adoption of the IHRA definition across university campuses and other educational institutions. Mainstream focus on the issue began around 2016 when Prime Minister Theresa May announced that the UK government would be adopting the definition.<sup>27</sup> Since then, pressure and threats of funding cuts have led many universities to follow suit. The Secretary of State for Education, Gavin Williamson, has been at the front of this intervention. In October 2020, Williamson threatened to withdraw funding to educational institutions that failed to adopt the IHRA definition by Christmas of that year.<sup>28</sup> According to the Campaign Against Antisemitism, as of May 2021, over half of UK universities had adopted the IHRA definition.<sup>29</sup>

However, the adoption of the IHRA definition across UK universities has not gone unopposed. Following Williamson's announcement, numerous groups of scholars and legal professionals have

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21 Gould, R. R. 2020. "The IHRA Definition of Antisemitism: Defining Antisemitism by Erasing Palestinians"

22 Wallach, Y. 2020. "The EHRC Report Shows That Anti-Racist Solidarity, Not Special Protection, Is the Way Forward,"

23 Equality and Human Rights Commission. 2020. "Investigation into Antisemitism in the Labour Party". .

24 Spitz, D. and Klaff, L. 2021. "Why the 2010 Equality Act Does Not Make the IHRA Definition of Antisemitism Redundant,"

25 Ibid, 42.

26 Hirsh, D. 2021. "It Was the New Phenomenon of Israel-Focused Antisemitism That Required the New Definition of Antisemitism," p. 24.

27 Walker, P. 2016. "UK adopts antisemitism definition to combat hate crime against Jews."

28 Adams, R. 2020. "Williamson accuses English universities of ignoring antisemitism."

29 Campaign Against Antisemitism. 2021. "Major milestone reached as half of all uk universities adopt international definition of antisemitism, leaving those which have not increasingly isolated".

written letters expressing concern about the IHRA definition. This includes 66 British and Israeli academics<sup>30</sup> and numerous lawyers and retired judges.<sup>31</sup> These signatories see the IHRA definition as infringing on freedom of speech and the ability to criticise the policies of the Israeli government. Such limits on freedom of speech ironically come at the same time as measures are being implemented by the Education Secretary to create a “Director of Freedom of Speech and Academic Freedom”.<sup>32</sup>

Another significant development has come from University College London (UCL). In February 2021, UCL’s academic board, supported by the University and Colleges Union, announced that they were searching for an alternative to the IHRA definition due to its possible chilling effects on freedom of speech.<sup>33</sup> The decision was welcomed by the Palestine Solidarity Campaign, but was met with criticism from the Union of Jewish Students and UCL’s Jewish Society.<sup>34</sup> This is the first case of a UK university, who had previously adopted the IHRA definition, now searching for an alternative definition.

One alternative to the IHRA definition could be the Jerusalem Declaration on Antisemitism (JDA). Published in March 2021, the Declaration has been signed by more than 200 scholars, and explicitly states that opposing Zionism is not antisemitic, an area of contention related to the IHRA definition.<sup>35</sup> According to its signatories,<sup>36,37</sup> the declaration was made to prevent the conflation of calls for Palestinian rights with antisemitism. This was met by pro-Palestinian activists and scholars with a critical reception with some labelling the JDA an “orientalist” text for not giving enough attention

to the Palestinian experience of Zionism.<sup>38</sup> However, in comparison to the vagueness of the IHRA definition, it was seen as a “step in the right direction”. Perhaps unsurprisingly, the reception in other quarters has been negative and even hostile, with claims that it even provides a cover for antisemitism on the political left,<sup>39</sup> and risks setting back efforts to combat antisemitism.<sup>40</sup> While other definitions of antisemitism exist, such as the Nexus definition of antisemitism,<sup>41</sup> there has been less critical discussion surrounding them than the JDA and IHRA definitions.

Throughout the 2021 Israel-Palestine Crisis, a rise in antisemitism and Islamophobia occurred in the UK. Following an incident where a convoy of cars in North London shouted antisemitic and misogynistic abuse, the Secretary of State for Housing, Communities and Local Government, Robert Jenrick, stated he would ‘name and shame’ councils and universities who fail to adopt IHRA.<sup>42</sup> We expect interventions like Jenrick’s to continue to be made both by politicians and advocacy groups. This report aims to shed light on the substantive effects of adopting IHRA in university settings.

## ETHICAL CONSIDERATIONS

We are acutely aware that our research engages with issues of deep contention, and likewise, we appreciate the high stakes this project presents for Jewish students, Palestinian activists and academics. Nevertheless, such high stakes are precisely the reason we feel it is necessary to engage with this topic head-on, constructively and in context to lived experience.

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30 Vashti Media. 2021. We 66 British academics and Israeli citizens reject the government’s imposition of the IHRA

31 The Guardian. 2021. Antisemitism definition is undermining free speech

32 Hubble, S. 2021. Higher Education (Freedom of Speech) Bill 2021 - House of Commons Library

33 Hall, R. 2021. UCL board rejects IHRA definition of antisemitism | Antisemitism

34 Ullah, A. 2021. UCL academic board urges university to ‘replace’ IHRA antisemitism definition

35 JDA. n.d. The Jerusalem Declaration on Antisemitism

36 Wallach, Y. 2021. New declaration is way out of antisemitism-Israel-Palestine entanglement

37 Trachtenberg, B. 2021. Why I Signed the Jerusalem Declaration on Antisemitism

38 Ayyash, M.M. 2021. The Jerusalem Declaration on Antisemitism is an orientalist text

39 Hirsh, D. 2021. The Jerusalem Declaration defines the ‘community of the good’, not antisemitism

40 Rich, D. 2021. We don’t need another definition of Jew hate

41 Kampeas, R. 2021. US Jewish scholars push anti-Semitism definition allowing more Israel criticism

42 Mohdin, A. & Weale, S. 2021. Minister condemns ‘deeply disturbing’ rise in antisemitism in UK

The authors of this report unequivocally believe antisemitism must continue to be combatted and debunked. Our collective lived experience as an interfaith group positions us well to consider and appreciate the nuances surrounding the IHRA definition. We have approached this project, and continue to do so, with great sensitivity, respect and empathy. We emphatically recognise that antisemitism is an issue of great urgency, complexly embedded deeply in society and manifesting in innumerable ways. However, we remain concerned with the consequences of an increasing tendency to equate antisemitism with anti-Zionism, which in turn obscures the nuances of these distinct phenomena.

The authors of this report have worked with the Balfour Project in their 2020-2021 Fellowship Programme.<sup>43</sup> The Balfour Project is an NGO that acknowledges Britain's historic and continuing responsibilities to uphold equal rights for the Israeli and Palestinian peoples, through popular education and advocacy. They also advocate that the British Government recognise the state of Palestine alongside the state of Israel.

## METHODOLOGY

Throughout March and April 2021, the authors of this report met virtually with Jewish students, Palestinian students, British Jewish, Israeli and other academics, Palestinian and Jewish activists and interfaith organisations. The vast majority of these participants have had first-hand experience of the implications of the IHRA definition on campus. Others, such as a few organisations and activists, worked alongside university campuses on issues related to the IHRA definition.

Participants were primarily gathered through snowball sampling, alongside elements of purposive sampling by searching the student societies pages of different university websites and references of academics in news articles and on social media. Factors such as the relevance of an

individual's background, experience and expertise on the report's topic of concern shaped who we invited to participate in this research. While we contacted multiple Palestinian academics at UK universities, unfortunately none was willing or able to participate.

In turn, we interviewed 33 individuals: ten Jewish students, six Israeli academics, four members of Palestinian (or Palestine solidarity) societies,<sup>44</sup> three Jewish academics, three other academics, two Palestinian students, one member of a Palestinian solidarity organisation, one member of a Jewish organisation, and four remaining participants of different backgrounds.<sup>45</sup> As researchers, we are highly appreciative of how understandings of antisemitism are greatly informed by the lived experience of it. For this reason, we intentionally chose to interview more Jewish students and Jewish academics than any other demographic group.

All interviews took place over video call (via Zoom) and each lasted approximately one hour. Interviews were semi-structured with open-ended questions, ensuring that key topics concerning the IHRA definition were addressed. Given the highly sensitive nature of this topic, all participants have been anonymised. Thus, names and distinguishable identifiers of all participants have been removed. Instead, each participant in this report is referred to by a number ranging from 1 to 33. These numbers will be used throughout this report, in direct reference to particular participants.

We also recognise that our research sample size is relatively small. We appreciate that the views and experiences of the participants interviewed are by no means representative of all those impacted by the IHRA definition on UK campuses. Nonetheless, the interviews we conducted still allowed different stakeholders to voice their rich lived experiences concerning the IHRA definition, thereby giving the wider public an insight into a currently under-researched field.

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43 Balfour Project. n.d. Meet the Fellows

44 PalSoc refers to either Palestine Society or Palestine Solidarity Society.

45 For the sake of maintaining anonymity of participants, these categories remain broad and are by no means an exhaustive categorisation of participants.

## THE POWER OF THE IHRA DEFINITION: AN EFFECTIVE TOOL OR SYMBOLIC GESTURE?

One clear area of contention relating to debates surrounding the IHRA definition is whether it is an effective tool for monitoring and challenging antisemitism. It is evident some believe that universities' adoption of the IHRA definition has helped them to effectively protect Jewish students on campus and work towards reducing antisemitism. Meanwhile, others see the adoption of the IHRA definition as more symbolic and something that fails to translate into substantial change in reality. These discussions were reflected in our research and will be the focus of this first chapter.

As previously outlined, the IHRA definition was originally drafted by a group of academics in 2005.<sup>46</sup> This working definition was created so that 'European data collectors could know what to include and exclude', and thus allow antisemitism to be more effectively monitored.<sup>47</sup> Importantly, this working definition was intended to be non-legally binding.

While what is now known as the IHRA definition is not a legally binding instrument, our research findings will show that on several UK campuses, the IHRA definition has been employed beyond its intended purposes as just a data collection tool.

### THE IHRA DEFINITION HELPS US TO "UNDERSTAND WHERE THAT LINE IS"

Firstly, for some participants, the adoption of the IHRA definition on UK campuses was useful in that it helped to draw a line under when criticism of Israel constitutes antisemitism. A Jewish student (participant 8), felt that as part of its role as a working definition, the IHRA definition is "a tool and resource, to understand where that line is". Moreover, they added that the adoption of the IHRA definition on UK campuses is important as it helps "Jews and non-Jews to see what are appropriate topics of discussion in society".

Similarly, a Jewish community activist (participant 2) believed that the IHRA definition "is as close as it gets to saying "this is the line" of what is considered antisemitism. Participant 1, a PalSoc member, also echoed this sentiment, explaining that "it is really good that a robust definition of things that are blatantly antisemitic" exists and that it is important "to see very clear guidelines for those things" on campus.

### THE IHRA DEFINITION AND POLITICAL PRESSURES

Secondly, while some participants agreed that the IHRA definition helps to distinguish the boundaries of what constitutes antisemitism, divergent opinions arose when discussing the intentions of UK universities in their decision-making process to adopt the IHRA definition. Participant 8 believed that through adopting the IHRA definition, "universities are showing that they care and have the best interest of the students at heart, and also shows their obligation to protect minorities and academic debate".

However, a Jewish student and JSoc<sup>48</sup> president (participant 17), raised concern about the genuine intentions of universities when it came to adopting the IHRA definition. They explained how their JSoc employed "every campaign trick in the book to get IHRA adopted" at their university, but "nothing happened until Gavin Williamson [the Secretary of State for Education] sent the threatening letter to Vice Chancellors in October 2020". Participant 17 went on to explain how political pressure was more instrumental in getting the definition adopted, as "it was quite disheartening as a Jewish student to know that while the university adopted the IHRA definition, it wasn't really because of us [the JSoc] at all".

The experience of this Jewish student (participant 17) highlights a wider tension over whether UK universities are genuinely committed to dealing with antisemitism on campus or, rather, are more concerned about giving into political pressures.

46 University College London. 2020. Report of the Academic Board Working Group on Racism and Prejudice.

47 Stern, K. 2019. "I drafted the definition of antisemitism. Rightwing Jews are weaponizing it".

48 JSoc is an abbreviation of Jewish Society.

Reflecting on how the IHRA definition was adopted at their university, an Israeli professor at a UK university (participant 4), believed the aforementioned to be a central motivation for universities to adopt the IHRA definition. This professor feels that their university never made public the fact that the IHRA definition had been adopted. Moreover, the first time this professor became aware of this was when they received our email asking them to take part in this project. The fact that staff were not informed or consulted about the adoption of the IHRA definition suggested to this professor that the adoption is a form of “lip service... they (the university) don't really care about antisemitism”.

An International Relations lecturer at a UK university (participant 26), shared a similar experience to participant 17. This IR lecturer said that their university, who adopted the IHRA definition in December 2020, “swept through [the adoption of IHRA] without any real discussion with the academic community. Instead, it was a unilateral imposition”. Developing on participant 4's suggestion that their university adopted the IHRA definition as mere lip service, participant 26 believed that the timing of their university's adoption of the IHRA definition in December 2020, two months after Williamson's letter to vice-chancellors, was no coincidence. For them, “red flags are raised whenever there is any interference by a political actor in the supposedly free and independent space that universities represent.”

Moreover, participant 21 highlighted the way issues around the IHRA definition have been raised based on how “it is imposed on the university sector as a determinant of funding”. By doing so, this participant believes that the UK government is “privileging the particularities of the history of one particular nation over and above the many particularities of many other nations in the world’.

### **THE IHRA DEFINITION AS “MORE OF A SYMBOLIC THING”**

The importance of the IHRA definition to Jewish students was described by a Jewish researcher (participant 10) as coming from a desire for

universities to be seen to care about antisemitism. This participant expressed the view that the content of the definition was not what motivated students to push for its adoption. Rather, it was the symbolic consequences of a university paying heed to the professed concerns of Jewish students that makes the IHRA definition an important issue for many JSocs. This is reflected in the view of a Jewish person involved in student outreach (participant 5). As a result of the IHRA definition, they felt “good that Jews have some sort of protection”. What is important to recognise, therefore, is the “feeling of fear and alienation”<sup>49</sup> that drives many Jewish students to see the IHRA definition as a genuine way to protect them from antisemitism.

However, participant 17, a Jewish student, went on to say that for them the IHRA definition's symbolic role, “rather than being a particularly useful toolkit”, was in reality “quite depressing”. When asked to elaborate on what they meant, the student believed it was constructive as an “education tool”, exemplifying the “different ways that antisemitism manifests”.

This student also believed that, overall, the IHRA definition is not a “particularly useful toolkit” because of two main issues. Firstly, participant 17 and participant 2 (a Jewish community activist) both believed that as “antisemitism now manifests itself more than ever online... I don't think IHRA is designed to deal with this” (participant 17). Moreover, only a few weeks after the IHRA definition was adopted at participant 17's university, a Jewish student received serious online antisemitic abuse; but because it was online “it was much harder for the university to do anything”.

Therefore, from the perspective of participant 17, as well as participants 7 and 25, when the IHRA definition has been said to be useful, it is commonly based on how the definition is perceived to outline what constitutes antisemitism. Yet, due to the IHRA definition primarily being symbolically as opposed to practically powerful, its ability to reduce the amount of antisemitism that occurs on campus, or make Jewish students feel safe online and in person, is by no means guaranteed.

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49 Participant 13.

## THE IHRA DEFINITION AS A SYMBOLIC POWER: THE CONSEQUENCES

For many Palestinian solidarity activists, the IHRA definition signals a lack of commitment to freedom of speech on the topic of Israel. While many of our Jewish participants defended the definition on the grounds it offered them some feeling of safety, the IHRA definition also has the potential to have lasting consequences on the professional careers of researchers studying Palestine, it was asserted. For example, participant 12, a researcher and activist, stated that the IHRA definition gives weight to accusations of antisemitism made against Palestinian activists. Furthermore, they noted that the IHRA definition has deterred some people on the margins who were looking to get involved in pro-Palestinian activism from doing so.

The concerns discussed above do not obfuscate the need to create an atmosphere of safety and inclusion for students from all minority backgrounds, which is an essential and praiseworthy endeavour. This is a legitimate desire from Jewish students, and the fact that many of our participants have been involved in efforts with their respective JSocs to get the definition adopted shows that issues of antisemitism seriously concern Jewish students at university. Moreover, this suggests that universities have not done enough to address these concerns.

However, our research findings have also highlighted that while universities need to adopt the IHRA definition as a means of showing commitment to tackling antisemitism, such action alone will not address the root causes of this need for safety. As a masters student and Jewish former activist (participant 13) expressed, the IHRA definition is “a plaster on a spreading cut”.

Moreover, renewed awareness around the problem of antisemitism and the intensity of the media spotlight has created an environment where the topic of antisemitism has become, arguably, the defining feature of the British Jewish community in political conversation. Clarifying this point, participant 17 explained that although the large-scale adoption of the IHRA definition is viewed as a positive development by many Jewish students, the IHRA definition has simultaneously become one of the most prominent focuses for JSocs. **Participant 17 believed that:**

Having discussions every day about antisemitism also meant that there wasn't enough attention given to all the good things that Jewish societies do, and I think that is a broader national problem. Often in the press, you see an article about Jews on campus and it is about antisemitism and you don't see all the events we run.

In that respect, the interviewee added, proponents of the IHRA definition have become “victims of their own success”.

Similarly, participant 17 worried that “the conversations around IHRA point to the definition as the thing that will fix the issue and make Jewish students feel safer, when actually, a proper structural fix of complaints procedures is needed”. From this perspective, wider structural issues such as university approaches to complaints, or interfaith and cross-communal initiatives, need to take place to address the need for safety in the face of antisemitism. The IHRA definition cannot fix these issues alone, and this in turn restricts the definition to being just a symbolic emblem.

## THE IHRA DEFINITION AND ITS DISCOURSE-SHIFTING ROLE

One major point of criticism raised by opponents of the IHRA definition is the abuse of the definition as a tool to censor Palestinian activism. Previous reports have recorded several instances of this perceived problem.<sup>50 51</sup> Aware of this phenomenon, we asked our interviewees – particularly those active in pro-Palestine advocacy – whether they had personally encountered such censorship, and, if so, how their life experiences had been impacted by it.

Although a number of them did have experiences with the definition's abuse, we find that most interviewees who opposed the definition did not. Rather than the acts of censorship which were explicitly driven by the IHRA definition, the reservation that we find generally pertains to the definition's effect of creating implicit coercion to avoid certain topics on Israel/Palestine. In this chapter, we will discuss the different ways in which the IHRA definition has been used and interpreted and how they influenced a person's willingness to talk openly about Israel/Palestine.

### EXPLICIT (AB)USE OF THE DEFINITION

British universities have become hot zones where the explicit usage of the IHRA definition against Palestinian activism is tangibly felt. Within mere months of the British government's 2016 decision to adopt the definition, news about the cancellation of several campus events made it to the headlines. The 2017 Apartheid Week at the University of Exeter, an annual pro-Palestinian event, was banned due to "safety and security reasons". The decision followed a letter by Jo Johnson (the then Minister of State for Universities, Science, Research and Innovation) which endorsed the IHRA definition and referred to the Israeli Apartheid Week as "a cause of concern" in the fight against antisemitism.

The incidents in Exeter would not be the last of their kind. A member of a Palestinian solidarity organisation (participant 32) cited a clear case in 2019 when Tower Hamlets Council barred the "Big Ride for Palestine" event from having permission to use one of its parks. Through Freedom of Information requests, it was revealed that the council decided so because the references to "ethnic cleansing" on the event's website could violate the IHRA definition. Some of these cases were made public, while others remained behind the scenes. Participant 32 revealed, for example, instances where students who proposed research projects on the Nakba (the 1948 Palestinian exodus), or those who wanted to conduct ethnographical and sociological studies on the Palestinian solidarity movement in the UK, were discouraged from proceeding because their universities had adopted the IHRA definition.

A more personal repercussion was shared by a British professor of Jewish history (participant 30), whose career trajectory had been profoundly affected by their rejection of the IHRA definition. The participant's opposition has led them to be accused of being antisemitic or not seriously opposed to antisemitism, as well as leading to unpleasant attacks by other academics – particularly by those on social media. Another academic, an Israeli lecturer of geography (participant 16), shared their experience when drafting the syllabus of a course on global apartheid regimes. Though there are strong reasons to include topics on Israel/Palestine within the course's syllabus, there were concerns that such inclusion, under the stretchable coverage of the IHRA definition, might cause accusations of antisemitism. Such concerns were understandable, especially given the lecturer's past experience in being targeted by "Israel Academia Monitor",<sup>52</sup> a right-wing website that produced a list of alleged antisemitic academics.

50 Stern-Weiner, J. 2021. The Politics of a Definition: How the IHRA Working Definition of Antisemitism Is Being Misrepresented

51 University College London. 2020. Report of the Academic Board Working Group on Racism and Prejudice.

52 Israel Academia Monitor, "About", n.d.

## BETWEEN “SOFT” AND “HARD” AND CRITIQUE

Beyond the above incidents of abuse, which are mere illustrations and not an exhaustive survey of the situation, the IHRA definition has led to broader consequences. One Jewish researcher on antisemitism (participant 6) suggested that the more important question was not “how wide has the scope of abuse of the IHRA definition been in the UK so far, empirically speaking... [but rather] is this definition a tool that is vulnerable for such abuse [emphasis added]”. **The researcher elaborated further:**

If I were in the shoes of individuals in charge of pro-IHRA campaigns who, for the sake of argument, would use the definition to stifle criticism against Israel, I wouldn't now at this stage begin to use the definition for such [speech-coding] purposes. I would first have it adopted as widely as possible and then begin to regulate the speech afterwards.

This observation was echoed by a Palestinian activist in the UK (participant 27), who concurred that researchers of the IHRA definition controversy would find difficulties in “listing individual incidents” where the definition is used to censor speech or events. This is because the real issue pertains to how the discursive space on Israel/Palestine – the normative boundary of what is considered proper conversation – is being reshaped. Although the IHRA definition does permit criticism of Israel, it forces a distinction between acceptable “soft critique”, e.g., those who merely problematise the post-1967 Israeli occupation, and unacceptable “hard critique”, e.g., those who trace back the issue to 1948, characterise Israel as a settler-colonial society, speak about the Palestinian right of return, and support the BDS movement. The IHRA definition, the interviewee concluded, allows people to still claim the moral high ground by saying “I criticise Israel too”, although the criticism is very shallow.

Seeing that most pro-IHRA organisations affirm Israel's identity as a Jewish state, as per the two-state formula, one member of a nationwide Jewish

organisation (participant 2) notes that “IHRA is as close to good as it gets to saying [about the formula that] ‘this is the line’”. This understanding may contradict the approach taken by the BDS movement, which asserts that their action amounts to “among the last avenue for non-violent resistance that Palestinians have”, to quote a PalSoc member (participant 14).

The BDS movement states that it does not endorse a two-state nor one-state solution. Rather, it aims to realise the fundamental rights of Palestinians. BDS's mission is often seen as a direct challenge to the core precepts of Zionism, which the movement characterises as a discriminatory ideology. This hostile characterisation may be interpreted as violating the seventh example of the IHRA definition of alleged antisemitic animus (i.e., the description of Israel as a “racist endeavour”). Indeed, this example has come to be seen by some Jewish students as evidence that the BDS movement is inherently antisemitic, as one JSoc President affirmed (participant 17).

## ON THE “CHILLING EFFECT” OF THE DEFINITION

A key objection of critics to the IHRA definition is its “chilling effect” on society, especially campuses. These critics argue that IHRA hinders universities and colleges from having open and constructive conversations on Israel/Palestine. Generally, the term “chilling effect” is used not in reference to the explicit usage of the definition in censoring activities and expressions, but the latent impact of discouraging people from speaking up about certain topics. The frequency with which this catchphrase is used, however, is rarely followed by how it manifests in daily life – the specific ways whereby the definition “chills out” conversation. Our interviews have helped to elucidate this phenomenon in greater depth.

While the IHRA definition is boasted on numerous occasions by its proponents as the gold standard guide to counteract antisemitism,<sup>53</sup> several interviewees felt confused by the document. They remarked that the definition is

53 IHRA. 2018. Statement by Experts of the UK Delegation to the IHRA on the Working Definition of Antisemitism.

unclear about where exactly the red lines are, that is, the boundary between criticism of Israel that is legitimate and that which is considered antisemitic. Several participants were hesitant to speak about the condition of Gaza, even for issues as matter-of-fact as the condition of unemployment and poverty therein.

The occurrences of the IHRA definition being weaponized against Palestinian advocacy groups, as attested by one activist (participant 14), have led students to start restricting what had usually been open public events. At times, Palestinian activists have to be more attentive to who attend their events, thereby mitigating the problems possibly arising from an un-filtered audience (e.g., to be able to moderate it better). Similarly, some Palestinian activists have begun to minimize recording events to provide a safe space for attendees, many of whom have become increasingly fearful of repercussions to their speech.

Forms of restrictions have also come on the part of universities, according to another Palestinian activist (participant 32). They include the demand for “neutral chairs” and that an event’s list of attendees must be finalized before the event can start. There has been a growing reluctance to initiate conversation on Israel/Palestine out of fear of mishandling activities and events surrounding the topic, in ways that might go to directions potentially misconstrued as antisemitic. This goes to the point where a chief executive officer of an interfaith organization (participant 31) remarked that “[it is] better not to do activities on Israel/Palestine at all than to do them badly”. The interviewee added that even those colleagues who had organized interfaith dialogue for years admitted their fear of criticising Israel, worrying that their Jewish friends may view them as antisemitic.

Permeating universities, the definition’s “chilling effect” has impacted how Israel/Palestine is studied and instructed on campuses. For instance, a student who joined a Palestinian solidarity society (participant 1), decided to shelve the plan to write a thesis about Israeli state policies, fearing that they would have difficulty finding a supervisor for

the project. Further, the same respondent worried that this thesis might negatively affect future employers’ perception of the person. This fear is not baseless, as participant 1 was once denied a job offer for mentioning that Israel/Palestine had been their main research during undergrad. Asked about the reason for the rejection, the employer reasoned that participant 1 was “too Palestine-focused”.

Other students have shared how they partake in self-censorship when enrolling in courses on Israel Palestine, such as one PalSoc president (participant 25) who held back from speaking about Israeli war crimes as it would cause discomfort to the class. The same respondent also revealed that people had become unwilling to attach their names to public petitions on Israel/Palestine. Similarly, more people have become concerned about being added to particular events’ lists or liking pro-Palestinian social media pages.

Professors, like students, are not immune to the said “chilling effect”. A British academic (participant 21) mentioned that when referring to their work within the Occupied Palestinian Territories, they very rarely speak the name of the State of Israel. The professor felt under pressure not to mention Israeli actions if they cannot draw a comparison to other countries, partly stemming from the IHRA definition’s red-flagging of criticism which singles out Israel as potentially antisemitic. Whereas, the professor added, “if I am speaking about Ethiopia, I am not bound by the potential need to make comparisons to other countries”. Meanwhile, an International Relations lecturer (participant 26) was deeply concerned about an online video of a debate on Israel/Palestine that they had engaged in, which they feared may become a liability in the current climate. Questioning certain Israeli policies in the debate, the professor remarked that “still to this day... I am worried about the effects it will have for my career and reputation”.

Our research finding shows that critics of the IHRA definition do not need to have been directly affected by the IHRA definition and its “chilling effect” to decide to reject the definition. Indeed, most of our interviewed academics focused on the conceptual and practical shortcomings of the

definition, rather than citing negative experiences they personally went through due to the definition. However, their lack of current negative experience does not preclude their concerns that it might occur in the future. For instance, while one doctoral candidate researching antisemitism (participant 6) felt “personally immune to the urge of self-censor”, such a feeling of immunity was only because the person did not plan to pursue an academic career.

**This would not be the case otherwise:**

If I was someone who was determined to have a career in academia, who could not fathom pursuing an alternative career, then I would be worried. I would probably change my subject. I am very sure I won't get a career in academia... why go there if your aim is to have a successful career; that [the studying of the definition] can only bring trouble.

Participant 6 described the above sentiments as ample evidence of a “determined attempt to go after universities” to enforce compliance to the IHRA definition’s paradigm in regard to defining antisemitism. “Israel Academia Monitor”, a website tracking academics who are alleged to be antisemitic, was cited by a geography lecturer (participant 16) as one manifestation of such attempts to curb debate. In 2019, the website flagged the lecturer for a paper on Israel/Palestine that they planned to present at an academic conference. “Somehow the owner of the website took the time and effort to check one abstract to another”, the interviewee added. Curiously, the website mentioned this individual’s paper one week before the conference, and phrased it as though the paper had been presented. Even though the lecturer had not been negatively impacted by the IHRA definition besides this experience, they emphasised that other academics have faced more serious repercussions. “I am very lucky not to be noticed [yet]”, the lecturer added.

## “THE QUEST FOR A DEFINITION”:<sup>54</sup> A SPECIFIC FRAMEWORK OR GENERAL LEGISLATION?

Rooted in the concerns raised by participants regarding efforts to define antisemitism, this final section of the report will consider the complexities that come with defining antisemitism within a particular definition (such as that of IHRA) vis à vis utilising existing general racism legislation. To contextualise this tension, we begin by exploring the different understandings of antisemitism among students and academics within the Jewish community who were interviewed for this project. We then go on to consider alternatives to the IHRA definition, as put forward by our participants. In turn, we conclude by offering some future guiding principles in the debate concerning the IHRA definition.

### DIVERGENT UNDERSTANDINGS OF ANTISEMITISM WITHIN THE JEWISH COMMUNITY

The nuances between varying understandings and definitions of antisemitism expressed among our Jewish participants were reflective of their lived experiences. Thus, when Jewish participants were asked to define antisemitism, responses would range greatly. Whilst many leaned towards a ‘textbook’ understanding of antisemitism, in terms of hatred, hostility and/or discrimination towards Jews, in other instances, especially among Jewish academics, definitions were juxtaposed with a disclaimer of the complexities and politics of defining antisemitism. In one instance, an Israeli Jewish academic (participant 16) said “I’m not sure I know what it is, but I’m pretty sure that there are certain things that do not qualify as antisemitism”.

The following definitions of antisemitism offered by some Jewish participants further illustrate how understandings of antisemitism differ greatly among members of the Jewish community within UK universities. Recognising this reality seems to undermine the notion of a universal or objective definition of antisemitism.

- > “Discourse that entails implicit and explicit forms of stigmatization and hatred toward Jews” (*Jewish academic, participant 4*)
- > Distinguishing between ‘new’ and ‘traditional’ antisemitism, new antisemitism manifests through anti-Zionism as a guise for antisemitism. Therefore, the “anti-Zionism defence is often used as a ‘get out of jail free card’ by people with extreme views”, whereas traditional antisemitism is rooted in hatred for Jews (*Jewish student, participant 8*)
- > A “baseless hatred towards Jews”, rooted within intersectionality<sup>55</sup> – primarily referencing gender (*Jewish student, participant 5*)
- > “Discrimination against Jews, whether explicit or implicit... underlying, actually said or acted upon” (*Jewish student and JSoc committee member, participant 15*)
- > Centred around ‘the Jew’, “there is an ambiguity there and it cannot be avoided”, whereby “racism can be aimed against Jews without that perception of ‘the Jew’. Therefore, from one point of view, that isn’t strictly antisemitism, but from another point of view, it is because that’s the word that comes in the news whenever racism is aimed at Jews.” (*Jewish academic, participant 23*)

In general, understandings of antisemitism differed between Jewish interviewees predominantly in terms of whether antisemitism exists as an almost static entity or, rather, as fluid and embedded within social relations. For those who understood antisemitism as somewhat of a fixed entity, they saw the IHRA definition as an invaluable tool in locating what is and is not antisemitism. As one Jewish student put it (participant 2), defining antisemitism as the prejudice and othering of the Jewish community, the IHRA definition “explains it much clearer than I could... I think it is really complex and complicated”.

54 Participant 23

55 Intersectionality refers to overlapping social and political identities, compounding together to create particular modes of privilege and discrimination, e.g., intersections of race, disability, gender and/or sexuality.

Recognising some of the inherent imperfections that come with such a project, participant 2 said “IHRA is as close to good as it gets in saying ‘this is the line’”. Moreover, another Jewish student (participant 8) recognised that, whilst not suitable as a legislative document, the IHRA definition, in its ascribed position adopted by many UK universities as a working definition of antisemitism, provided a useful “tool and resource to understand where that line is”. Talk of this ‘line’ was situated by both participants 2 and 8 as crucial in addressing antisemitism. One President of a JSoc and Jewish student (participant 9) further noted that the IHRA definition “allows an objective agent to say what is and isn’t antisemitism”.

However, the difficulties in attempts to establish such a baseline of antisemitism should not be overlooked. This especially comes to the fore when many Jewish participants expressed their reservations about defining antisemitism in strict or absolute terms. For example, a range of participants within (and indeed beyond) the Jewish community, argued that intention was a key factor in their understandings of what qualifies as antisemitism – an element often felt missing or overlooked from the IHRA definition (e.g., participants 14, 18, 31). In turn, we found many participants uncomfortable with or at the very least ambivalent towards the notion of a universal definition of antisemitism.

Reflecting the complexities of such an attempt, when asked to define antisemitism, one Jewish academic (participant 3) said:

This is part of what I do with my life’s work. I think it really resists any simple definition. It depends on the context. You can’t really boil it down to a simple statement, or formula, because something that could be perceived as antisemitic in one context would not be in another. It really is a matter of what a particular situation is... it *really* depends on context.

One Jewish student (participant 13) aligned similarly with participant 3, and argued that offering definitions of antisemitism were a ‘booby trap’. Rather, talking about antisemitism in terms of lived experience was felt to be a more productive exercise. Moreover, another Jewish academic (participant 23) said that “the quest for a definition is in many ways misconceived. Definitions have very limited views. They are useful for certain

contexts, but there should be different definitions for different contexts”.

## THE COSTS OF DEFINING ANTISEMITISM IN UNIVERSAL TERMS

Whilst the IHRA definition of antisemitism is positioned as a working definition, and indeed does emphasise the need for context to be taken into consideration when using it as a framework, one academic (participant 22) shared insight with regards to how the IHRA definition is practically applied:

I have noticed that the IHRA definition is treated as a law. It is not treated as a working definition. Therefore, people, universities, administrators, etc., do not ask questions and do not say the things that they themselves know are wrong with it. This is not helpful within a democracy.

Moreover, one Jewish student (participant 5) similarly said “people forget it’s guidance not law”. Another professor (participant 21) stated that “it is nonsensical; how can you be bound by a ‘working definition’? In and of itself, a working definition is a definition that is not yet settled”. Indeed, despite the IHRA definition’s nature as a working definition, a PalSoc member (participant 14) was misinformed and understood the IHRA definition as legally binding. Rather, as one committee member of a JSoc said (participant 15), “it is not because of anything inherent in [IHRA], it is how it has been used”.

## CONSIDERING ALTERNATIVES TO THE IHRA DEFINITION OF ANTISEMITISM

Thus, within our primary research, we found that Jewish participants’ views on whether antisemitism legitimates its own definition of discrimination in the form of the IHRA definition directly depended on participants’ own understandings of antisemitism. The following section is structured around alternatives to the IHRA definition offered by those ambivalent and/or critical of it. These proposals emphasise, respectively, (1) the distinct context of each university space, (2) the need to situate antisemitism in wider struggle against racism, and (3) the utility of existing legislations in combating antisemitism.

One pertinent alternative discussed among academics and students suggested, implicitly and explicitly, the need to develop a framework

for antisemitism specific to the distinct context and identity of each university space. This is a particularly interesting alternative when positioned in contrast to the IHRA definition, a definition “never intended for academic use”, as a Jewish academic (participant 3) stated. “It’s now been applied to universities, but it was basically guidelines for political speech”, arguably far beyond its reach (participant 3).

In tackling an overly prescriptive definition of antisemitism, participant 4, a Jewish academic, argued “organisations of different kinds ought to work out their own working definitions for various ethical, moral or political conditions that define their work”. Appreciative of how universities across the UK face different issues and produce distinct campus environments, the problems that universities face regarding antisemitism can manifest in varying ways from one campus to another. For example, participant 4 outlined class as a key form of discrimination experienced within their university; whereas another Jewish academic, participant 3, emphasised that part of the founding identity of their university was rooted in providing religious minorities with access to higher education.

One Jewish academic, participant 24, further emphasised the need for autonomy among universities to define antisemitism, stating “universities should be allowed the freedom to implement the existing legislation by taking into account their particular circumstances... the central government does not know the specific problems of each institution”. Two participants (3, 17) went as far as to suggest a need to further separate organisations within the university. This would mean a separation between the actual university institution and the student union, who tackle different issues and have divergent needs - including that of academic freedom within the institution versus explicit political speech within the union. In turn, this alternative would allow particular manifestations of antisemitism to be addressed in context to the circumstances and needs of individual university campuses. And in such a way, that could help address the particular priorities and struggles of students, academics and staff at these campuses.

Another alternative suggested by participants was to reposition antisemitism within other forms of structural discrimination and inequality. This was

often positioned as a means of problematising the broader debates concerning antisemitism, beyond the IHRA definition, in the fight against systemic injustice overall. As one lecturer (participant 26) said, “I think it is important for us to have a conversation about antisemitism and to discuss whether we need to separate it from other forms of discrimination. Is it more special than other discriminatory practices? That is a real question and a discussion we need to have”.

Discussing the effects of singling one particular community among others, participant 26 noted “academic institutions should be against all forms of discrimination. But once we start singling out or prioritising particular groups, who are we excluding?”. In the context of the UK government’s push for universities to adopt the IHRA definition, one Jewish academic (participant 23) said “it takes Jews, puts them in a special place and says this will be done with antisemitism – but not with any other form of racism. How is that supposed to help?... It is worse than unfair and unwise. It is also divisive. The divisiveness works against us as Jews”.

Among other participants, there was a similar hesitancy towards singling out antisemitism from other types of racism – implying that they saw antisemitism as similarly aligned to acts of racism. For example, one Israeli Jewish academic (participant 16) suggested a need to move away from antisemitism as a unique phenomenon, towards rather defining antisemitism as a specific case of racism. One Jewish student (participant 10) similarly defined antisemitism as racism against Jews, noting its nature as embedded within white supremacy. Moreover, a JSoc President (participant 17) defined antisemitism as “a big, complicated mess but underlying it all is a system of racial prejudice that sometimes manifests itself as racial discrimination against Jewish people”.

It is also worthwhile to consider if the fight against antisemitism might be better framed and/or situated as a shared issue across society in the form of structural racism. One Jewish academic (participant 28) said that when dealing with antisemitic occurrences within their university, they found that situating antisemitism within broader forms of discrimination helped gain the support and understanding of staff members more effectively. As participant 28 said:

There is common logic of othering – the denial of rights on the basis of othering – which is shared, which allows us to use general tools and to make general arguments against them. Rather than to go into the details of Jewish history or the particularity of discrimination against Jews, that shared commonality of the denial of rights based on othering we can point to is more effective and persuasive.

Moreover, a Palestinian activist (participant 27) emphasised their concerns with dividing the fight against racism, and in particular, fragmenting between communities. Similarly, a Jewish academic (participant 24) said the IHRA definition “gets in the way of Jews showing solidarity and getting solidarity and support from other minority groups”.

Recognising the relatively settled status of the IHRA definition, one committee member of a JSoc (participant 15) argued that an additional solidarity clause to the IHRA definition would provide a suitable improvement to some of the definition’s shortcomings. Reflecting on how at times Jewish students have felt unwelcome in BAME<sup>56</sup> spaces at their university, participant 15 suggested that a solidarity clause would help overcome the partisan nature of the IHRA definition and contribute to building a more inclusive space for Jewish students who experience discrimination on UK campuses. Such a suggestion was closely aligned with comments from one Jewish academic (participant 24) that criticised the exclusive definition of antisemitism as creating “a division between Jews and other minorities”.

In considering antisemitism as situated within the broader struggle of systemic racism in UK universities, another alternative offered by participants was the JDA definition of antisemitism. Here, the JDA<sup>57</sup> explicitly links an opposition to antisemitism to an opposition to other forms of racism and bigotry. A Jewish academic

(participant 23) involved with developing the JDA intentionally recognised the importance of making this connection, noting “we have cited universal principles and universal documents in our preamble”. This viewpoint was situated in direct response to the IHRA definition isolating the fight against antisemitism from any larger context, arguing that “[the JDA] document rectifies such a failure – we link the fight against antisemitism to the fight against other forms of racism”.

A final alternative to the IHRA definition offered by participants was the use of existing legislation, thereby suggesting that a specific framework to tackle antisemitism is not necessary. As one Jewish academic (participant 3) said about their university protocols, “we have very good anti-racism stuff on the books. That’s not a problem. There’s an argument to be made that what we have is good enough. It is just a matter of using what exists”. Moreover, another Jewish academic (participant 30) questioned the utility of the IHRA definition in context to existing policies, and stated from experience “occasionally, people approach me about complaints on antisemitism. Generally, I don’t find IHRA helps. I think the college’s policy in work and study and equality law [2010 Equality Act] provide the most helpful guide”.

The 2010 Equality Act was a document recurrently mentioned throughout our interviews, generally to illustrate the existence of a legal instrument that can help combat antisemitism, especially within the broader struggle against all forms of racism. Despite the potential utility of this existing tool, a JSoc vice president (participant 8) emphasised that adopting the IHRA definition is still necessary because “antisemitism is more complex and nuanced”. This led the participant to suggest that “bundling antisemitism in as a footnote to a larger definition is squandering its purpose of being able to uniquely define antisemitism”.

56 BAME refers to Black, Asian and Ethnic Minorities. There is much debate over this term in and of itself, for example see BEYOND ‘BAME’: What does the public think?

57 JDA. n.d. The Jerusalem Declaration on Antisemitism

## TOWARDS A LONG VIEW: FRAMING THE DEBATE GOING FORWARD

Having discussed three alternatives to the IHRA definition, contingent on each participant's understanding of antisemitism, this final section concludes with some considerations in navigating the ongoing debate surrounding the IHRA definition. Of particular concern is whether the IHRA definition is adequately equipped to help further actual change-making in the fight against antisemitism. For example, numerous participants (including participants 9, 13, 15, 16, 17) emphasised its shortcomings by describing the IHRA definition as "a plaster on a spreading cut",<sup>58</sup> something that was treated "as the thing that will fix the issue and make Jewish students feel safer, when actually a proper structural fix of complaints procedures is needed".<sup>59</sup> In similar vein, others argued that the IHRA definition lacked the capacity to protect Jews; hence the need to move beyond a 'tick box' exercise in addressing antisemitism.

Open discussion concerning the practical application of the definition is crucial when considering the fact that the IHRA definition has now been adopted by at least 109 higher education and further education institutions across the UK.<sup>60</sup> One Jewish student (participant 8) argued that by adopting the definition, the universities have shown a serious commitment that they have "the best interest of the students at heart" and were driven by their "obligation to protect minorities".

However, mere rhetoric of commitment is insufficient because the effectiveness of assessing any framework of antisemitism, as suggested by one JSoc President (participant 17), ultimately comes down to its actual implementation. So far, little attention has been put on whether universities are simply adopting the definition, rather than actively enforcing it. Observing the lack of data on the definition's enforcement, one Jewish professor of antisemitism (participant 30) even suggested that "the practical significance of IHRA has been greatly overstated".

A need for cross-community engagement and dialogue was a common thread among numerous participants who were concerned that the IHRA definition ends up shutting down conversations (participant 13). One Jewish student (participant 2) assigned responsibility to student unions to ensure that open discussion can take place among different communities and religions. This participant further noted that unions constituted a key setting to informally interact, ask questions, demystify stereotypes and discuss complex topics such as the Israeli-Palestinian conflict. A PalSoc member (participant 1) further reinforced this, by stating "if things don't change, these discussions will only continue and become more polarised". In the absence of such urgent dialogue, said one interfaith activist (participant 31), people are left only with social media debates and poor media coverage on the topic. Another PalSoc member (participant 14) went as far as to suggest "being able to discuss these things will help the cause of finding peace between these two countries [Israel and Palestine]".

A lack of dialogue, or opportunity for dialogue, limits the opportunity to gain greater understanding of antisemitism. Thus, some form of an education programme is necessary. As an interfaith activist (participant 31) discussed while reflecting on their experiences conducting interfaith meetings, well-meaning people may say antisemitic remarks yet be unaware of doing so, "because no one ever showed them how their remarks revive old tropes". Thus, promoting critical conversation and education on antisemitism is crucial.

A Jewish student (participant 2) similarly emphasised the importance of having educational infrastructure in place, such as open educational spaces within universities and antisemitism training, alongside education on ways to debate and discuss contentious and emotional issues with empathy and respect for diverging viewpoints. Another Jewish academic (participant 23) contrasts this approach with the IHRA definition's claims, stating "the IHRA definition says that its purpose is educational, but in practice, it is seized upon to discipline and police – especially when talking about the Israel and Palestine conflict. This is harmful".

58 Participant 13

59 Participant 17

60 Union of Jewish Students. n.d. IHRA Campaign

## CONCLUSION

Overall, the findings presented in this report provide a nuanced and critical picture concerning the implementation of the IHRA definition on UK campuses. Such engagement is especially crucial considering that the environment surrounding the IHRA definition is often described as an “area you shouldn’t go [into]”,<sup>61</sup> due to little academic research on the definition, and the deep-rooted politics that often frame such debates. By conducting in-depth interviews with thirty-three participants, from a variety of backgrounds, each with valuable lived experience of the IHRA definition on university campuses, this report discusses empirically grounded findings, and thus moves beyond various opinion pieces and open letters that tend to present a binary, one-sided view of the IHRA definition.

### IN SUPPORT OF THE IHRA DEFINITION

**Numerous key takeaways have emerged based on the lived experiences of our participants.**

- > In support of the IHRA definition, several participants emphasised the emotional need for such a definition. They believe that UK universities’ adoption of the IHRA definition shows a symbolic commitment to the seriousness of antisemitism.
- > Moreover, some participants highlighted the human need to categorise terms, even if such terms are complex and difficult to define. With IHRA being the most widely adopted definition of antisemitism, it is seen as being as close to a universal definition as possible.
- > Finally, one of the central conclusions in support of the IHRA definition is the belief that with the correct infrastructure, the IHRA definition can help to combat antisemitism on campus. The IHRA definition should be seen as complementary to existing legislation, not as a substitute.

### THE NEGATIVE IMPLICATIONS OF THE IHRA DEFINITION

**However, our research revealed three key areas in which participants experienced negative implications of the IHRA definition.**

- > While acknowledgement was given to the potential usefulness of the IHRA definition, some participants were concerned about the consequences that already have occurred, or could occur, following a university’s adoption of the IHRA definition. Jewish students, Israeli academics and PalSoc members alike expressed serious concern about the “chilling effect” created by the IHRA definition, and how free speech on Israel/Palestine is or may be stifled.
- > Some participants raised considerable apprehension about the campaign for campuses to implement a specific, independent definition of antisemitism (such as the IHRA definition) which is separate from existing legislation. They fear that this campaign may prioritise tackling antisemitism above other forms of discrimination, such as Islamophobia, that impact the everyday lives of many on campuses.
- > Finally, some participants were concerned that the politicisation of the IHRA definition has diverted attention and energy away from a much-needed collective and urgent effort to effectively combat antisemitism.

We anticipate the debates we have surveyed in this report will become even more pertinent in the coming months, as conflict in Israel/Palestine will likely remain a divisive issue, and one that captures significant attention from the British public. If this is the case, future efforts to document the experiences of the IHRA definition on UK campuses, on a larger scale than this report, present a worthwhile and in fact essential research path.

**CONCLUSION CONTINUED ON PAGE 24**

61 Participant 6.

## CONCLUSION CONTINUED

While this report has focused on the IHRA definition of antisemitism, it has implicitly and explicitly raised broader questions of how anti-racist campaigning should proceed on UK campuses. We note that many of our participants, both those who oppose and those who support the implementation of the IHRA definition at their institutions, believe in the need for a broader programme of education and cross-community

work to tackle the problem of antisemitism at universities. The current climate on UK campuses demands the appropriate infrastructure and education mechanisms to be put in place to combat antisemitism in accordance with particular contexts. Crucial to this is an effort to facilitate dialogue within UK campuses, and respect the different experiences of those impacted by the IHRA definition. We wrote this report as part of this ongoing endeavour.

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