

The Working Definition of Antisemitism by the International Holocaust Remembrance Alliance (IHRA): A Critical Reply

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ABSTRACT

In 2017, a majority in the European Parliament has adopted a “working definition of Antisemitism”. It is based on a definition prepared by the International Holocaust Remembrance Association (IHRA). The present article analyzes conceptual problems as well as political consequences of this definition.

Among the conceptual problems is the insistence that Antisemitism is a perception rather than a prejudice. Maybe even more important is the widening of the customary definition to include as objects not only “Jews” but also “Jewish” property and community institutions. The widening of the definition’s scope leads up to explicitly naming and including the state of Israel as a possible object of Antisemitic manifestations. This is not surprising, given the fact that the drafting of the working definition was supported by a secretariat of the European Jewish Congress, an organization devoted “to promote a balanced European policy towards Israel”.

In practice, this has led to “Israel-based Antisemitism” becoming the major component in what is now seen as the “New Antisemitism”. Especially since the state of Israel defines itself as a “Jewish state”, every objection to this concept may be seen as Antisemitic, according to the IHRA definition.

Meanwhile, the expanded definition of Antisemitism promulgated by the European Parliament has been adopted by a number of European governments (e.g. Austria, Bulgaria, Lithuania, Romania, and the United Kingdom). As one of the political consequences the German government has not only followed suit but has also appointed a special Commissioner on Antisemitism. This commissioner has already intervened in a number of cases against conferences or exhibitions critical of policies of the present government of Israel.

In June 2017, the European Parliament (EP) passed a resolution “to combat Antisemitism.” The EP urged member states of the European Union, as well as its institutions and agencies, to adopt “the working definition of Antisemitism by the International Holocaust Remembrance Alliance (IHRA) and apply it to support efforts by justice and prosecutorial authorities to investigate and prosecute acts of Antisemitism more efficiently and effectively.”

Preparations for the EP resolution to adopt the IHRA definition were settled by a European Parliament Working Group on Antisemitism. The secretariat supporting this working group was the European Jewish Congress with a bureau in Berlin and head office in Paris, established by the European branch of the Jewish World Congress. Founded in 1998, the IHRA is an international organization based in Berlin.

In Germany The Federal Minister of the Interior advocated appointing a Commissioner on Antisemitism (*Antisemitism us beauftragter*). The German *Bundestag* adopted such a resolution on 18 January 2018, and The Minister of Interior and Home Affairs appointed to this office on 1 May 2018. Previously, on 20 September 2017, the Federal Council of Ministers had decided to adopt the definition of Antisemitism published by the International Holocaust Remembrance Alliance (IHRA, see box). The commissioner's responsibility contains the task to stop exhibitions, conferences and lectures critical of Israel's policies of occupation.

Both the EP and the Federal German government adopted the content of the definition of IHRA without open and democratic European or national debates. In applying the IHRA definition, allegations of Antisemitism have most recently been directed

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at progressive politicians, for example against Labour Party leader Jeremy Corbyn in Great Britain, U.S. Congress Representative Ilhan Omar or Hebrew University Professor Ofer Cassif, a prominent Jewish member of the Arab alliance party Hadash-Ta'al Union.

The background history sketched above makes it imperative to scrutinize the new definition of Antisemitism, before administrative decisions (i.e. restricting freedom of speech) or criminal justice actions are based upon it.

In English the IHRA definition reads: *“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 German translation, which is the subject of this critique, is: **„Antisemitismus ist eine bestimmte Wahrnehmung von Juden, die sich als Hass gegenüber Juden ausdrücken kann. Der Antisemitismus richtet sich in Wort oder Tat gegen jüdische oder nichtjüdische Einzelpersonen und/oder deren Eigentum sowie gegen jüdische Gemeindeinstitutionen oder religiöse Einrichtungen.“**

The expanded version of the definition comprises a third sentence, which reads as follows: *“Moreover, manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity.”*

PERCEPTION RATHER THAN PREJUDICE

Explaining a concept or an abstract term serves to elucidate and offer a clear definition of its meaning. This cannot be the case with the working definition of Antisemitism proposed by the IHRA. A definition – derived from *definitio*, meaning boundary in Latin – is in the broadest sense any type of ascertainment or adoption of a used sign, i.e. the “label Antisemitism.” A definition should meet certain standards and follow method-based rules that may be distinctive, depending on the context. Above all, it must be clear, purposeful, adequate and valid. It may not be confusing or manipulative.

According to the IHRA definition, Antisemitism *is a certain perception*. Antisemitism, however, is not a perception but a prejudice affected with any bias, tantamount to a misperception. As a prejudice, Antisemitism is conducive to conceptions of an enemy that evokes feelings of hatred or fear. Such a conception is not rational. The irrational predisposition is based on the Jewish bogeyman, combined with murderous hatred of “the Jews,” solely because they are Jews. However, the Antisemitic worldview does not even offer a definition of what makes someone a Jew. Nor does it reflect the self-images of those concerned. Antisemitic prejudice derives from ideologically motivated statements – such as racial inferiority, business acumen, overbearing influence, parasitism or secret plans to control the world.

In other words, Antisemitism is an attitude that can be only partially objective in the sense of a fixed opinion or conviction but nurtured by prejudice or desire for power. This attitude formally structures, influences and defines the apperception. It is in any case subjective, an interactive hybrid of affections and cognitions. Finally, the nature of rationalizations that contribute to where and how any arising affections are imparted to the seemingly appropriate and in any case socially predestined persons or subjects. Accordingly, the actual “definition” is highly arbitrary.

Perception among people means absorbing and processing sensory stimuli. (In the English text of the IHRA definition the meaning of the term “perception” extends beyond perception of sensory stimuli and may also denote an idea, a concept or a belief.) The term *Wahrnehmung* [perception] used in the German translation describes a sensory registration.

Sensory registration concerns, for example, a noise, a smell, or something that can be tasted or seen. The German IHRA definition suggests that Jews are perceived, i.e. that they are recognized through sensory perceptions, as if this were to convey an objectively perceptible quality of the object actually perceived. This reeks of racist prejudice. Nazi racial doctrine also reduced Jews to external features. A definition of Antisemitism focused on sensory perception is not unbiased and intrinsically prejudicial.

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If, as in the present case, the definition concerns not only perception but also a specific (!) perception – as well as a manifestly anti-Semitic conviction or attitude – then question arises as to what defines the perception with decisive certainty. The IHRA definition does not provide an answer here and does not make clear what the specific perception is. Here, it is imprecise and arbitrary and is therefore not an appropriately practical definition with intellectually compelling requirements.

JEWES AND NON-JEWES

The definition of the IHRA means that Antisemitism is a specific perception *of Jews*. The very use of the genitive is ambiguous and ambivalent. It remains unclear whether this genitive is the object (“Jews are perceived”) or the subject (“Jews perceive something”).

In light of this, what is now persistently invoked as an “expanded Antisemitism concept” (as will be discussed below in 8.1) could be a genitive subject: a perception of Antisemitism, as conceived and experienced by Jews, possibly similarly biased. In any case, the postscript makes clear the intended meaning, i.e. what is being perceived by Jews (genitive object) and without any additional clarification of the designation “Jews.” Readers are left to construe whether “Jews” denotes those professing adherence to the Jewish religious community (Orthodox Jews) or not as liberal, non-Orthodox persons of Jewish faith or Jewish origin, lineage, family affiliation, or whether they are Israeli citizens of today or those killed in the genocide, who were attributed racist Jewish traits by the Nazis.

It would be reasonable to make clear in the definition that “the Jews” were and are labelled as scapegoats in the context of racist Antisemitism for all that gets out of hand and is amiss economically and socially. This is similar to what befell “the Muslims” with respect to anti-Islamism or “Christ’s faithful” in countries where Christians are persecuted. Racist Antisemitism is an unreasonable ideological deviation from the actual inconsistencies of the political economy, which individualizes its causes (“the Jew is to blame”) or personalizes as a group (“the Jews are to blame”).

Conversely, the Antisemitism verdict also impedes empirical access to the actual role and influence of adherents of religious or social groups, comprising not only those who are

members of a Jewish Congregation or are close to them. Empirical study of the Catholic *Opus Dei*, for example, is not an anti-Catholic act, nor is a study on the mafia in the United States an anti-Italian project. It must be possible and permissible to analyse power and influence structures of groups with a social or a religious background.

ANTISEMITISM WITHOUT ANTISEMITES

Moreover, to continue the descriptive critique of the IHRA definition: it concerns a perception that may *manifest toward Jews*. Can a perception express itself? Is a perception capable of expressing itself? A perceived noise, for example, is not expressed. Rather, it is a result of something – for example of a passing train, a call for help or an explosion. It also requires a person (a subject), who perceives something and then conveys expresses, formulates, verbalizes what is perceived.

A perception that is expressed toward a Jewish individual or the group of persons who are “Jews” needs to be mediated (e.g. through media or propaganda) or the perception of a disclosing subject, in our context, as well as that of Antisemites. If it resulted spontaneously, without an intermediary, agency or person, it would be an absurd process: Antisemitism without Antisemites. An abstract situation, just like introducing a concrete actor operating or conveying how the wording of the IHRA definition is a contradictory legerdemain that obscures rather than clarifies.

CONDEMNING THE PHENOMENON WHILE IGNORING ITS CAUSES

The conditional formulation applied at this point in the definition – the perception *may* be expressed – suggests various meanings. “May” means: (a) able and in a position to (“able to walk”), (b) mastering a language (“able to use Hebrew”), (c) having the means (“able to pursue a study”), (d) having permission, being allowed to do something (“being able to visit a friend with permission from one’s parents”), (e) being possible or conceivable (“something could occur”).

If the latter is meant – as is presumably the case – question arises as to the terms or conditions for an occurrence or development to become reality. The IHRA definition does not offer a solution here. The other meanings – if they are what is meant – do not make clear how the corresponding abilities or opportunities came

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about (or how they could have been blocked or prevented from proliferating).

Because a causal analysis is lacking and the inexpediently defined expression imprecise, ideas about eradicating the causes or other reasoned prevention of Antisemitism do not even arise. Antisemitism appears like a natural phenomenon or a social phenomenon driven by nature, of which the origins are obscure and irrelevant (see the final paragraph of 8.2 and 8.3). This shortcoming – almost suggesting that neglect of a causal analysis signifies an interest in perpetuating Antisemitism rather than in being liberated from it – is confirmed in the next section.

HORROR RATHER THAN INVESTIGATION

Antisemitism, according to the IHRA definition, is a perception that may be expressed *as hatred* toward Jews. This apparently means an attitude toward “the Jews” that manifests largely as hatred. Hatred is explained in the definition as the illogical expression of a perception. Hatred, however, is an irrational emotion that may manifest as a general antipathy. Admittedly, not every radical demonstration of protest and opposition derives from hatred. The definition is vague in this respect as well.

The intense negative feelings of hatred manifest in hateful aversion and contempt. In practice they are a hostile and aggressive disposition. This attitude has nothing to do with alleged perceptions but is an emotional state or a psychological disposition, based not on perceptions but on economically driven, socially manifested and psycho-dynamically processed motives that have to be identified (and elaborated).

A phenomenological definition such as the one the IHRA advocates is not intended to analyse and eradicate the causes. But in fact it is intended to inspire horrifying revulsion of the object defined and classified as a perceived phenomenon expressed as hatred in racist Antisemitism. The deeper roots of Antisemitism remain obscure, as they should, among both advocates and opponents of Antisemitism. The latter understand as little as the former do that Antisemites concern a social phenomenon.

THOSE TARGETED BY IHRA ANTISEMITISM

Antisemitism according to the IHRA definition is *directed toward* Aside from incorrectly personalizing the general term (“Antisemitism [is] directed toward...”), this statement is

largely accurate. According to the Greek prefix “anti” (i.e. against), the definition means that Antisemitic prejudice is directed against something or rather somebody, namely (and here the definition becomes dangerously obscure and detrimentally arbitrary and manipulative) ...

... *against ... individuals and/or (against) their property ... as well as against ... community institutions and ... facilities*. The definition of the concept attributed a punitive intent by the “-ism” suffix identifies various groups and types of targets of Antisemitic hostility, i.e. (a) persons, (b) their property (i.e. by legal title), as well as (c) institutions and (d) organizations.

- Hostility against persons is directed at *Jewish or non-Jewish individuals*. This definition indicates no distinction between Jewish and non-Jewish individuals. It remains unexplained and therefore impossible to understand why and how individual non-Jews are targets of Antisemitic hatred.
- The relevant hostility to the deed of *property* or ownership that “Jewish and non-Jewish individuals” can invoke remains unclear. Does this concern property damage, disruption, theft, robbery or state confiscation of property? Given that the imprecise formulation of the definition is inherently arbitrary, is the criticism of ownership and its application a sign of Antisemitic hostility? Is passing criticism on extravagant luxury or on controversial investments in an atomic power plant, the defence industry or an ethically controversial research project an indication of Antisemitism? The definition does not vary in relation to the severity of relevant hostility, nor does it distinguish whether the hostility comes from individuals, from a group or from the state.
- The hostility mentioned *toward Jewish community institutions and religious facilities* does not make clear first whether it emanates from an individual or the state, and second whether any hostility is intended (e.g. a complaint about the noise of children at a day nursery with Jewish sponsorship).

“WORDS OR ACTIONS” RATHER THAN “WORDS AND ACTIONS”

According to the IHRA definition, Antisemitism manifests *rhetorically or physically*. In this case the German translation “*in Wort oder Tat*”

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differs markedly from the English wording. The English reads “rhetorical and physical manifestations,” whereas the German wording is “*Gegnerschaft in Wort oder Tat*” (hostility in words or actions).

The English version may be understood as Antisemitic hostility being a double expression of Antisemitism, both rhetorically (“in words”) and physically (“in actions”). The German translation suggests that oral or written expression directed against the persons or institutions mentioned in the IHRA definition is just as reprehensible as an action taken against them. An Antisemitic expression or statement or attitude is equivalent to an Antisemitic act or operation.

This is one of the reasons for restricting the freedom of expression guaranteed in the German constitution or suppressing the ensuing freedom of expression by banishing it from the public realm – as recently happened again on the occasion that the association “Jewish voices for a just peace in the Middle East” was awarded the Göttingen peace prize (many other examples appear in Johannes Feest, “*Israelkritik und Antisemitism usvorwurf. Veranstaltungsverbote als Problem der Meinungsfreiheit*” in *Vorgänge* 220, 56. vol., 4/2017, pp. 117-126). This paved the way for denunciation by snooping around to reveal allegedly Antisemitic convictions, rather than insisting on the principle of adjudication by an independent justice.

CONCLUSION

Stigma Rather than Research, Muzzle Rather than Clarification and Prevention

The IHRA working definition is inadequate and therefore useless, even dangerous. According to this definition, Antisemitism is focused on sensory perception. Such an explanation is inherently Antisemitic. In its definition, the IHRA lapses into a self-contradictory autism. It does not identify the bearers, agents or operating actors of Antisemitism. Nor does it mention the social and social-psychological context of its origin. As a phenomenon, Antisemitism is made horrifying but is not clearly defined. A precise definition makes it possible to specify the manifestation and to distinguish deviations. It would provide a basis for questions about the origins and proliferation of Antisemitism to be investigated and in any case to clarify it to proceed pedagogically and prevent it.

The range of what Antisemitic hostility addresses is not by definition circumscribed but has been definitively expanded, so that by now even the State of Israel misleadingly figures as a target and victim of Antisemitism: “as a Jewish collectivity” (see the third sentence of the IHRA definition: “Moreover, manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity”). Since the Israeli state is regarded as a “Jewish state,” every objection to this concept may be seen as Antisemitic fundamental criticism of the State of Israel and may be condemned as such.

While racist-imbued Antisemitic prejudice has always concerned both Jewish individuals and “Jews” as a social minority, the IHRA definition serves to protect the government of the Jewish majority in Israel and declare it off limits. The expanded scope of the term Antisemitism thus becomes a manipulative tool of those with an interest in immunity for Israel’s government, military and occupation policy – or of those, not least the Federal Republic of Germany, with an interest in supplying arms to Israel and in military cooperation with the Israeli forces.

The expansion of the scope of the term Antisemitism by the state, political or religious authorities and groups is not rational but is claimed and condemned on moral grounds (referring to the approximately six million Jews murdered). Moral standards, irrationalism and violence are an explosive combination, and that while insidiously invoking those who perished in concentration camps. Antisemitism allegations and accusations thus acquire a dangerous significance in political disputes, giving rise to a new abuse and concept of the enemy, to strike back against that supposed evidence, i.e. “Antisemitism.”

Intentionally or unintentionally, the expanded Antisemitism allegation has led Antisemitic racism to be normalized. On the one hand, it suppresses other causes, including class contradictions, and on the other hand, it is a paradoxical stigmatizing suspicion, an ideological muzzle. The IHRA definition serves as the ultimate definition of Antisemitism, thereby largely obliterating the need for academic research, social prevention, historical clarification and humanist pedagogy relating to racist Antisemitism. But who benefits?

Opposition of Economic and Social Order is Obscured

Based on experience, the term Antisemitism now serves largely to misrepresent and stigmatize criticism, especially criticism from progressive and pacifist perspectives. In the process, firm condemnation of both racist instrumentalization of Antisemitism in forced labour camps and the extermination industry of the Nazi dictatorship or the return of fascist government majorities in Europe fades into the background. Significantly, the Antisemitism allegation deriving from the expanded understanding of the term – like classical racial Antisemitism – obscures the inconsistencies of the capitalist economic and social order, as are once again virulent in the present stage of global imperialism.

The purpose of diverting and concealing racist Antisemitism, on the one hand, and the entirely different “anti-German” rationale of Antisemitism allegations against criticism of Netanyahu and top Wall Street bankers, on the other hand, explain why both the European Parliament and the Federal German government have adopted the misleading IHRA definition. Equipped with an undemocratic and manipulative definition, the Federal German government and several German *Länder* governments have appointed Antisemitism commissioners. Their scandalizing actions distract the public from social tensions, political conflicts and economic crises: e.g. rising indigence and impoverishment, loss of trust among allies, rising fascism throughout Europe and the rescue measures for banks at the expense of the taxpayers and little people.

Instrument to Avert Blame and Divide Society

The IHRA definition is politically useful for yet another reason: both types of Antisemitism – racist, which irrationally targets “the Jews,” as well as the expanded one, which is instrumenta-

lized to suppress, cast suspicion on and tacitly render complicit – serve to wreak social division. Racist Antisemitism has always divided society into a Jewish minority and a non-Jewish (“pure-Aryan”) majority.

The expanded conception of Antisemitism also divides society. The minority comprises those who do not submit to the publicly proclaimed ban on criticism of Israeli policy (also supported by Jewish religious congregations in Germany), and the great majority consists of those Germans who in the collective subconscious promise reconciliation and exculpation from the suppressed and unregretted sense of guilt since the end of the war. By believing that they regard Israel as a “Jewish collective” in the tradition of the history of persecution of Jews in the Third Reich, they place the Israeli state and government policy above any criticism and accountability for its actions against the disenfranchised Palestinians.

Just as their fathers and grandfathers claimed they knew nothing of the Nazi crimes, they wish to remain ignorant of the political reality in the Middle East and the prevailing policy there. What happens daily in Israel and Palestine relieves them of their historical guilt. Every comparison is therefore to some extent blocked as “Antisemitism,” albeit from both German and largely Israeli and Jewish perspectives.

Such a comparison seriously violates “the rules” in a German context. Because it raises awareness of the criminal Nazi past and its murderous consequences. The “rules” that are applied in Germany have added to the terminological distortions relating to the use of Antisemitism, help the self-proclaimed friends of Israel in their “inability to mourn” (Alexander and Margarete Mitscherlich) the historical experience of their own supremacist racism and to recognise its current resurrection in Israel.

Rudolph Bauer (March/April 2019)

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