

The IHRA Definition of Antisemitism & Canadian Universities and Colleges

What You Need to Know



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Racism, Colonialism & Censorship in Canada (ARC)**

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IHRA Working Definition of Antisemitism

The International Holocaust Remembrance Alliance's Working Definition of Antisemitism is the product of a growing "new antisemitism movement" that seeks to redefine antisemitism to include criticism of the Israeli state.

The International Holocaust Remembrance Alliance (IHRA) is a 34-country intergovernmental organization that aims "to strengthen, advance, and promote Holocaust education, research, and remembrance." Canada became an official member in 2009.

In the early 2000s, the European Monitoring Centre on Racism and Xenophobia began drafting several definitions of antisemitism in order to develop a guideline for "identifying incidents, collecting data and supporting the

implementation and enforcement of legislation dealing with antisemitism." In 2016, the IHRA adopted a definition drafted by the director of the Bard Centre for the Study of Hate, defense attorney Kenneth Stern, for the purpose of data collection and then repurposed it as a "non-legally binding working definition":

"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 contentious aspect of this definition is not this brief 38-word definition, but its accompanying 11 illustrative examples of antisemitism.

7 of the 11 illustrative examples refer to Israel.

Read critically, it appears as if this definition is more intent on silencing critics of Israel than it does halting antisemitic threats from far-right white supremacists.

For example, one of the illustrative examples in the IHRA definition explicitly states that referring to Israel as a 'racist endeavour' is tantamount to antisemitism.

Critics of the IHRA definition note that it is vague. It is not grounded in a contemporary anti-racist and decolonial framework. It is not deployed within the frames of international law and human rights. It also treats antisemitism as if it occurs in isolation from other forms of racism, including Islamophobia, anti-Arab and anti-Palestinian racism.

Its original drafter Kenneth Stern also points out that although the IHRA definition is ill-suited for legal or administrative purposes, it has been misappropriated and is now being “weaponized” against critics of Israel. Scholars who conduct research into the dynamics of the conflict and occupation in Palestine and Israel, including those who hold perspectives critical of Israeli state policies and practices, could be unjustly penalized, possibly criminalized, if the IHRA definition were to become law.

Independent Jewish Voices Canada have developed a much more comprehensive and workable definition that should be used instead.¹

If adopted, the IHRA definition will place Canadian academics, especially those conducting anti-racist and decolonial scholarship, at great risk of being falsely accused of being antisemitic, which could result in intimidation, censorship, job precarity, and costly litigation.

¹ For a thorough policy analysis of the IHRA definition, see: “How Not to Fight Antisemitism: A Critique of the International Holocaust Remembrance Alliance Working Definition of Antisemitism (IHRA-WDA)” by Independent Jewish Voices Canada. See also the University College of London’s Academic Board Working Group on Racism and Prejudice December 16, 2020 Report.

Implementing the IHRA Definition of Antisemitism in Canada

On June 25, 2019, the Trudeau Liberals adopted the IHRA definition as part of "Canada's Antiracism Strategy." In November 2020, the Liberals appointed Irwin Cotler as Canada's Special Envoy to IHRA. Cotler is tasked with providing support for "advocacy and outreach efforts with Canadians, civil society, and academia to advance the implementation of this definition across the country and its adoption internationally." The special envoy will be working closely with such ministers as the Minister of Foreign Affairs and the Minister of Diversity and Inclusion and Youth. Cotler will help inform "Government of Canada policy and programming."

Critics, however, warn that the appointment of a special envoy by the federal government represents a further step in weaponizing

antisemitism "to portray supporters of Palestinian human rights as antisemitic, and to shield Israel from legitimate criticism."

As of writing this text, no university or college has adopted the IHRA definition in Canada, and several municipal councils have rejected efforts to implement it (including Calgary, Montreal, and Vancouver).

In Ontario, the IHRA definition came under the spotlight with the debate over private members' Bill 168 "Combating Antisemitism Act." This Bill sought to re-define the province's definition of antisemitism, guided by the IHRA working definition of antisemitism and the list of illustrative examples of it. On October 26, 2020 an order-in-council was used as an alternative to Bill 168 in Ontario, which was abandoned on the eve of scheduled public hearings. The order-in-council circumvented public hearings and adopted the IHRA definition of antisemitism despite claims that this would be "non-binding." The fact that the Ontario government circumvented democratic processes to enact the IHRA definition set a troubling precedent.

**Faculty
associations
across Ontario
passed
motions
to oppose
the IHRA
definition.**

Academic Censorship

The vague language of the IHRA definition and the problematic examples, combined with its ineffectiveness as a tool to combat antisemitism has even led Kenneth S. Stern, the original draftee of the examples in the IHRA definition, to warn against legislation on the grounds that it would “restrict academic freedom and punish political speech.” As the Director of the Pears Institute for the Study of Antisemitism (University of London, U.K.), Dr. David Feldman points out “the overall effect will place the onus on Israel’s critics to demonstrate they are not antisemitic.”

The IHRA definition promotes problematic double standards. Protecting Israel from charges of systemic racism would effectively establish an "Israel Exceptionalism" clause.

As a member state of the United Nations, Israel must be held accountable for its actions. The degree of precision required to speak critically about Israeli state policies is nowhere close to the standards we hold with respect to other settler colonial states like Canada.

As previously noted, one of the illustrative examples of antisemitism is “[d]enying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.” Many scholars have concluded that the Canadian state is a “racist endeavour;” should these criticisms be silenced or deemed as hate crimes? Why then should criticism of another state be subject to political censure? Penalizing those who claim that Israeli policies and practices are racist is categorically anti-democratic and denies Palestinian scholars (and those whose exercise of academic freedom is in solidarity with them) the right to name and defend against state oppression without fear of sanction.

Silencing World-Renowned Intellectuals

Influential academic texts by some of the world's leading scholars contain statements that are critical of Israel and the Israeli occupation of Palestine. These could easily be censored as antisemitic according to the IHRA definition. Included is the work of Jewish scholars such as [Hannah Arendt](#) and [Judith Butler](#), as well as the Palestinian post-colonial legend [Edward Said](#), Mohawk scholar [Audra Simpson](#), Black feminist author [Angela Davis](#) and prominent Cameroonian philosopher [Achille Mbembe](#). Scholars working in fields of research that use the work of these and many other respected writers could be faced with intimidation, abuse, and legal harassment if they were to present this research in a classroom or in the dissemination of their research.

For instance, Mbembe's scheduled keynote talk in Germany in March 2020, was cancelled after he was labelled an "anti-Semite" for his [criticism of Israel](#) and his [alleged support of the Boycott, Divestment and Sanctions movement \(BDS\)](#). In an ironic twist, this internationally esteemed scholar from Cameroon, whose research examines anti-Black racism and the legacy of colonization, was [accused of racism](#) by a state that previously colonized Cameroon in what was clearly a racist endeavour. There is a justified fear that a long list of prominent Jewish, Arab, Black, Indigenous, and other racialized scholars will be targeted or censored because they are critical of the Israeli state.

Mbembe's story alongside that of many other notable scholars is a cautionary tale. The silencing and de-platforming of scholars who are critical of Israel verifies concerns that have been voiced regarding the IHRA definition of antisemitism. The IHRA definition brands legitimate criticism of Israel as antisemitic, which opens up critics to censure and potentially disciplinary actions.

The new McCarthyism driving these campaigns includes tactics like doxxing and launching smear campaigns through neoconservative websites such as "Campus Watch" and "Canary Mission". These groups demonize, harass, and intimidate scholars who support Palestinian rights, the Boycott, Divestment and Sanctions Movement, as well as those who are merely critical of Israeli military policies.

Racialized faculty have borne the brunt of these attacks. The existing tactics of harassment and intimidation will be further emboldened if the IHRA definition is adopted and used to justify and legitimize such actions.

Academic Research and Defunding Critical Scholarship

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The adoption of the IHRA definition carries a serious threat to funding and research grants. The Canadian federal government has already adopted the IHRA definition, and this can impact federal academic grants (e.g. SSHRC, CIHR) and funding for projects that are seen to conflict with the IHRA definition's political mandate for protecting Israel from charges of racism.

Ontario MPP Roman Baber said the following in the Ontario Legislature in regard to applying the IHRA definition:

"And why are we defining it? Because we will not accept it. If it's happening in one of Ontario's **academic institutions** or it's pushed by a **grant recipient** or anyone who wants to do business with the government of Ontario, we will know how to identify it and we should not stand for it – not this government."

- Roman Baber (Ontario MPP, York Centre) - Chair of the Standing Committee on Justice Policy ([February 27, 2020](#)).

While antisemitism must be identified and challenged, the IHRA definition could hinder access to research funding that seeks to examine these concerns from an anti-racist and decolonial perspective.

Setting the terms for what is legal, fundable, and admissible in university research and teaching is governmental over-reach. This is already happening. In the United Kingdom, Education secretary Gavin Williamson threatened universities with a [funding cut](#) if they did not adopt the IHRA definition by Christmas of 2020. In the face of these ultimatums, some universities have complied with the government's demands by

[adopting the IHRA definition](#), but the [majority have refused](#).

When politicians and other political interest groups set the terms for what is legal and admissible in university research and teaching, we are confronted with political intrusion and oversight that undermines academic freedom.

Human rights research is as vulnerable to such outside interference as research in pharmaceuticals, energy, white collar crime, foreign relations, or any other potentially contentious research subjects.

Modern universities have been defined and governed as autonomous institutions of learning for a reason. Expectations of institutional autonomy and collegial governance, like that of academic freedom, protect universities from governments or private interests wishing to set limits on what can be researched and what can be taught.

University Hiring and Faculty Relations

Recently, the Dean of the Faculty of Law at the University of Toronto reportedly rescinded the hiring of Valentina Azarova as director of the International Human Rights Program allegedly because of pressure from donors concerning her criticism of Israeli human rights abuses. The Canadian Association of University Teachers has initiated a process of censuring the university over the Azarova Affair.

This is not the only case of a prominent internationally respected expert in human rights being targeted for their criticism of Israeli policies. A professor of human rights at Osgoode Hall Law School, Faisal Bhabha, was targeted for statements he made in an online panel discussion of the IHRA definition and its challenges to academic freedom hosted by Ryerson University's Centre for Free Expression. B'nai Brith launched an online campaign to "disqualify" him from "teaching a human-rights course."

In response to campus conflict between pro-Israeli and pro-Palestinian groups, former Supreme Court Justice Thomas C. Cromwell was commissioned by the York Administration to launch an investigation into these events. In his report, Judge Cromwell suggested that York University "monitor the progress of this legislation and also consider the IHRA's Working Definition as it develops its own statement on racism and discrimination" (page 46).²

In response, the YUFA executive made the following statement:

While the YUFA Executive opposes anti-Semitism and all forms of racism and hatred, we see the adoption of the IHRA definition as a potential threat to academic freedom at our university as it can be used to restrict the academic freedom of teachers and scholars who have developed critical perspectives on the policies and practices of the state of Israel.

These are but a small selection of the issues surrounding the IHRA definition of antisemitism.

² Judge Cromwell has also been appointed by the University of Toronto to lead an inquiry into the Azarova Affair.

Equity, Diversity & Inclusion

The academic censure and the policing of anti-racism and decolonial scholarship in countries where the IHRA definition and its illustrations have been adopted should be of specific concern to Equity, Diversity and Inclusion (EDI) offices at Canadian universities, which are charged with implementing strategies to redress the racism and colonial legacies within our institutions.

While combating antisemitism is an important part of the mission of EDI, equally vital anti-racism and de-colonial scholarship and practices should not be sacrificed to this goal.

Antisemitism is best addressed through the intersectional framework of anti-oppression that underwrites EDI policies and practices. Combating antisemitism should not supersede or erase these struggles but rather be understood and addressed alongside them.

Silencing the ability to name and challenge racist and colonial endeavours of any state or institution is completely contradictory not only to the mission of the university but to decolonial knowledge production and institutional adherence to the anti-racism goals that most Canadian universities have publicly committed to upholding.

Prohibiting Civic Engagement

In the U.S. where various jurisdictions have adopted the IHRA working definition, investigations of allegations of antisemitism have been launched at several institutions, including Rutgers University, Duke University, the University of North Carolina, and Williams College. An extensive list of censorship cases has been compiled by the Independent Jewish Voices of Canada. In each case, the “antisemitic speech” being investigated is criticism of Israel state policies and actions. Universities have cancelled events (“de-platforming”), punished faculty, and expelled students.

These targeted attacks have a chilling effect on our classrooms, our research, and our campus politics and communities.

In Canada, student governments at Ryerson University and McGill University have adopted the IHRA definition of antisemitism in their anti-discrimination policies. This

potentially allows them to deny critics of Israel access to campus resources (e.g. room rentals, advertising space, etc.). At the University of Winnipeg, a recently held conference focused on the Trump Administration’s decision to move its Israeli embassy to Jerusalem, and the university was pressured to condemn the conference. Citing the IHRA definition, the University declared certain statements expressed at the conference to be a violation of the institution’s anti-harassment policy.

Public Opinion

Despite this institutional trend, a recent poll demonstrated that a strong majority of Canadians believe that criticism of Israel is not antisemitic. In fact, this survey found that contrary to the logic of the IHRA definition, there was no evidence that critics of Israel were more likely to hold antisemitic views in Canada.

Faculty Associations & Academic Freedom

If governments adopt the IHRA definition, not only will our provinces, municipalities, and institutions in Canada adopt less effective language for combating antisemitism, such legislation could possibly criminalize legitimate criticism and debate about a foreign state.

A letter drafted by Independent Jewish Voices and signed by over 450 Canadian academics was put forward to challenge the IHRA. Several faculty associations passed motions condemning the Ontario Government's move to adopt the IHRA definition, including a letter written by OCUFA.

**As an individual scholar,
you may join the growing
list of over 525 scholars
who have signed the
Open Letter by Canadian
Academics Opposing
the IHRA Definition of
Antisemitism, organized
by Independent Jewish
Voices Canada.**

All faculty associations must let our elected politicians know that the IHRA definition is a recipe for censorship. If we are to continue to pursue the highest standards of critical and engaged scholarship in our schools and universities, we must stand against any law that will effectively criminalize legitimate political dissent and debate.

**Our faculty associations
are mandated to protect
their members' rights to
pursue their research and
research dissemination
free of such intrusion.**

Call for Immediate Action

Corey Balsam, national coordinator of Independent Jewish Voices Canada, recently stated that “it is critical that provincial and municipal governments, university administrations, and other institutions take a firm stand against the IHRA definition now.” “Antisemitism must be fought, but it cannot be done at the expense of legitimate criticism and protest of Israeli human rights violations.”

Given that our federal government, and other levels of government, are moving quickly to implement the IHRA definition, it is paramount that faculty/staff associations across Canada pass motions condemning this definition on the grounds that this definition will be used to not

only censor critical and engaged scholarship, but also to undermine anti-racist and decolonization campaigns in our universities.

We can protect both academic freedom and advance an anti-racist and decolonial framework for all of our universities in Canada, and we will always remain committed to these projects. To do so, it is essential that we take a strong stand against this slide towards neo-McCarthyist censorship in Canada. We must act in solidarity to protect our right to pursue critical and engaged scholarship without governmental interference and the influence of political interest groups.

Action Items

We call on all representatives of academic associations and unions across Canada to immediately undertake the following actions:

- 1. Executive committees and other association bodies should immediately pass motions rejecting the IHRA definition of antisemitism. [Sample motion below]**
- 2. Devise a statement and circulate it as widely as possible within your membership. It is paramount that all faculty understand this issue clearly if we are to prevent the IHRA definition from being adopted within our colleges and universities.**

- 3. Submit a formal letter to your local Federal Members of Parliament, Provincial Members of Parliament, and Municipal Counsellors informing them of your organization's position on this matter. It is essential that our political representatives recognize that they should not be engaging in Neo-McCarthyist censorship. Politicians should not be dictating the terms for what is legal, fundable, and admissible in university research and teaching.**

Appendix 1: Sample Motion

[Insert Name] unequivocally supports the academic freedom of its members. This freedom includes the right to pursue research and open inquiry in an honest search for knowledge that is free from institutional censorship, including that of the government. While [Insert Name] opposes antisemitism and all forms of racism and hatred, the International Holocaust Remembrance Alliance's Working Definition of Antisemitism poses a serious threat to academic freedom in our [university/college]. The IHRA definition of antisemitism misconstrues antisemitism to include a broad range of criticism of the State of Israel. The IHRA definition thus undermines important anti-racist and decolonial initiatives in Canadian educational institutions. It can also be used to censor political speech and restrict the academic freedom of teachers and researchers who have developed critical perspectives on the policies and practices of the State of Israel. Such targeted attacks will have a chilling effect on the academic freedom of our members in the classroom, in their research, and in campus politics more broadly.

For an updated list of faculty associations / academic unions who have passed motions, please visit our website:

<https://www.noihra.ca/academic-campaign>

Once you have passed your motion, please email it to us and we will include it on our website.