



January 31, 2025

LEGISLATIVE POSITION: HB 521 (Rosenberg) - State Procurement – Commercial Nondiscrimination Policy – Antisemitism

From: **Jewish Voice for Peace Baltimore**, contact is Nikki Morse (802-989-5705), nikkimorse@gmail.com; Jewish Voice for Peace is a national Jewish organization in support of Palestinian rights. We have over 10,000 supporters in Maryland, and chapters in Baltimore City, the DC Metro area, and University of Maryland College Park.

Jewish Voice for Peace Baltimore **strongly opposes** this bill. This legislation would codify the incredibly dangerous and controversial “International Holocaust Remembrance Alliance” (IHRA) working definition of antisemitism into law. The IHRA definition is widely opposed by Jewish, Palestinian, civil rights, human rights, and Israeli organizations because it falsely conflates criticism of the Israeli state with antisemitism. This bill would do nothing to make Jewish communities in Maryland more safe, and would only serve to restrict the freedom of speech of Marylanders.

KEY POINTS

- Antisemitism is a growing threat domestically and internationally, and conflating criticism of Israel with antisemitism makes it more difficult to combat true antisemitism, **making Jews less safe.**
- The IHRA definition of antisemitism is **controversial and rejected by civil rights and human rights leaders and scholars.**
 - Attempts to codify the definition into law in the U.S have been opposed by a broad cross-section of organizations including the ACLU, Southern Poverty Law Center Action Fund, PEN America, and FIRE.¹
 - Jewish groups also oppose codification of this definition, including **J Street, Americans for Peace Now, Bend the Arc, and T’ruah**. The Reform Movement (Union for Reform Judaism) has stated²: “Our commitment to principles of free speech and concerns about the potential abuse of the definition compel us to urge its use only as intended: as a guide and an awareness raising tool. The definition should not be codified into policy...”
 - 128 scholars specializing in antisemitism, Holocaust studies, Modern Jewish History and related fields [sent a letter](#) to UN urging the UN not to adopt the IHRA definition³

¹ “Groups across ideological spectrum unite in opposing Antisemitism Awareness Act”
<https://www.thefire.org/news/groups-across-ideological-spectrum-unite-opposing-antisemitism-awareness-act>

² <https://urj.org/press-room/reform-jewish-institutions-affirm-ihra-working-definition-antisemitism>

³ “128 scholars warn: ‘Don’t trap the United Nations in a vague and weaponized definition of antisemitism’”
<https://media.euobserver.com/9e86df02ddf67c6046d190b65e4380df.pdf>



- The IHRA definition is so controversial that over 200 prominent scholars in Jewish, Holocaust, Palestine/Israel, and Middle East studies launched an alternative definition called the Jerusalem Declaration on Antisemitism, specifically developed as corrective to IHRA's problematic conflation of criticism Israel with antisemitism and its attacks on free speech and Palestinian rights.
- The IHRA definition of antisemitism describes 11 examples of antisemitism, of which seven concern the State of Israel, and 3 of which define criticism of the State of Israel as antisemitism.
- Nonetheless, groups opposing the movement for Palestinian rights have led campaigns leading to the adoption of the controversial IHRA definition, and in many places where it has been adopted, it has been used to repress criticism of the State of Israel, including through **arresting, fining, and firing Jews for expressing criticisms** of the State of Israel that are informed by our tradition.
- Kenneth Stern, who drafted the IHRA definition of antisemitism, has stated that it is now being weaponized by governments to silence speech and does not support its codification into law.⁴
- Since this legislation applies to commerce, it seems to be a thinly veiled attempt to categorize the Palestinian-led BDS Movement (Boycott, Divestment, and Sanctions) as antisemitism, rather than any real effort to combat antisemitism.
- For many Jews and our allies, BDS is an important nonviolent tool in our work to end injustice in Israel/Palestine in solidarity with Palestinian Civil Society.

Categorizing criticism of the State of Israel or nonviolent economic activities as antisemitism endangers many Jews and makes it more difficult to fight actual antisemitism. **This bill must be opposed.**

⁴Written Testimony of Kenneth Stern before the United States Senate Judiciary Committee, Sep 17 2024.
[https://www.judiciary.senate.gov/imo/media/doc/2024-09-17 - testimony - stern.pdf](https://www.judiciary.senate.gov/imo/media/doc/2024-09-17%20-%20testimony%20-%20stern.pdf)