

A Working Report from the AJS Task Force on Antisemitism and Academic Freedom

Introduction

The Association for Jewish Studies, the largest learned society and professional organization representing Jewish studies scholars worldwide, assembled a task force to study the topic of antisemitism and academic freedom in the spring of 2021. The work of the task force was to determine if and how the AJS could shed light on the challenges of responding to rising antisemitic incidents in the context of universities' commitment to academic freedom.

The task force concluded that the AJS could offer recommendations, grounded in scholarship and with an eye toward the practical realities of campus life, in four broad areas:

- Universities' responsibilities to educate about antisemitism and their appropriate role in adjudicating incidents and allegations of antisemitism;
- Definitions of antisemitism and their limitations;
- The value of context and the role of outside pressure; and
- The relationship between antisemitism and speech and acts connected to Israel, Zionism, and anti-Zionism.

The following report, strongly endorsed by the AJS board at its December 2021 meeting, is meant to serve as a resource for AJS members, universities, professionals in Diversity, Equity, Inclusion, and Belonging work, and other educators and organizations that may find its insights useful. It is neither meant to be exhaustive nor universally applicable and may be consulted in conjunction with other resources. Furthermore, it purposely highlights a diversity of viewpoints – among Jewish studies scholars, Jewish and non-Jewish students, and members of the general public – on certain crucial questions about antisemitism and academic freedom. The goal of a university should not be to resolve that diversity, but rather to recognize it as essential to any educated and sensitive conversation about antisemitism and academic freedom.

In the coming months, the task force will expand upon the present report and create a toolkit of resources to accompany it. If readers have questions, they are encouraged to contact Lila Corwin Berman (lcberman@temple.edu) and Ethan Katz (ebkatz@berkeley.edu), the co-chairs of the task force.

Guidelines for Confronting Antisemitism and Protecting Academic Freedom

1. **Education and adjudication:** Universities have a mission to educate, and that requires open and vigorous exchange of scholarship and ideas that sometimes are polarizing.

Universities are also required to adjudicate when the expression of such polarizing ideas crosses the line from being the legitimate defense of a controversial position to harassment or verbal hostility. Academic freedom does not protect discriminatory or harassing speech. The following guidelines seek to provide help in navigating disputes about where academic freedom ends and sanctionable speech begins in regard to antisemitism.

1. Even in cases when other remedies are also necessary, universities should always preserve space for inquiry and research and allow all members of the university community to learn about new ideas, consider perspectives other than their own, and engage in difficult and sometimes uncomfortable conversations.
2. Universities should invest in educating their students and communities about antisemitism in the context of broader educational efforts about forms of exclusion, discrimination, and hatred.
3. Universities should provide their diversity, equity, and inclusion officers and other relevant staff with training about historical and contemporary forms of antisemitism, alongside other forms of anti-bias education.
4. Like anyone on campus, when Jews are attacked or believe that their history, identity, or experience is being dismissed or maligned, they should be able to voice their perspective and have confidence that their concern will be taken seriously. This should be the starting point for a process of education: it should lead to greater sensitivity about language or other forms of expression that Jews may find offensive and harmful.
5. As in any case of alleged discrimination or harm, an authority that has to render judgment on an accusation of antisemitism should endeavor to separate the description of pain on the part of the victim from the determination of whether to categorize the incident as antisemitic.
6. Not all cases of sanctionable speech fall under the rubric of antisemitism or another form of bigotry. When students or faculty are facing discrimination, harassment, exclusion, or physical threat because of their views or identities, even if the impetus for the infringement of rights is not antisemitic per se, the university must offer remedy, according to existing legal protections. This is the same for any other form of group hatred that demands redress.
7. Students should expect and accept that they may sometimes feel uncomfortable or hurt in their process of education, and that this is not necessarily a violation of their rights.
8. A university's educational mission demands that in responding to accusations of antisemitism, it must also be attentive to the academic freedom of the accused, the accuser, and all other affected parties.

2. **Definitions and their limits:** A single definition of antisemitism, as with that of any complicated and multi-layered phenomenon, will always be advisory at best. Universities should remain open to the various ways the term has been defined and should not adopt any single definition as the basis for campus speech codes or processes of adjudication.
 1. Definitions of antisemitism seek to capture a variety of phenomena across two millennia of history under a single rubric, and this may cause confusion. Over the course of its long history, antisemitism has often manifested itself within structures and systems of power, making it difficult to disentangle it from institutions, laws, or policies. Today, however, not all antisemitic acts derive from an antisemitic worldview, structure, or set of practices. Consequently, the process of defining any particular act as antisemitic can be entirely obvious in certain cases--such as the drawing of a swastika--and confounding in others--such as the invocation of language that can be (but is not always) associated with antisemitic tropes or ideologies.
 2. The [International Holocaust Remembrance Alliance](#) (IHRA) working definition, the [Jerusalem Declaration on Antisemitism](#) (JDA), and the [Nexus Document](#) are three different tools that were developed to help instruct institutions and the international community about how to understand antisemitism. All of these can be valuable tools, but they also reflect substantial disagreements, specifically about when and how antisemitism overlaps with criticism of Israeli policies or Zionism.
 3. We recommend that universities familiarize themselves with these tools, but resist campaigns pressuring them to codify one particular definition.
3. **Context & Outside Pressure:** In considering any specific case of potential antisemitism, universities must pay attention to context, should be careful about allowing outside organizations to interpret the case for them, and should call upon existing campus resources, including the expertise of their own faculty.
 1. In the United States, no single group or institution speaks on behalf of all Jews on any issue, including antisemitism. When administrators plan sensitivity training or other programming that is intended to address antisemitism, they should bear in mind the tremendous diversity of Jewish identities, backgrounds, and opinions across a wide spectrum. Likewise, a university or department should refrain from issuing statements that even by implication purport to speak for “the Jewish community” or Jews as a collective.

2. The core goal of universities' responses to antisemitism should be to understand and address the particular context of the incident or allegation within the university community, and not to speak to or please outside groups. A university must always maintain the primacy of academic freedom in the face of donors and other community stakeholders who may threaten to withhold promised support unless a particular outcome is reached.
 3. While universities or students may wish to consult with representatives or segments of the Jewish community when considering incidents and allegations of antisemitism, they should rely as well on the expertise of recognized scholars, including those of their own faculty as a primary resource.
4. **Israel, Zionism, and anti-Zionism:** Israel-related discourse is the source of most disagreements about antisemitism. This is where universities need the most help, but it is also an area of considerable debate, even among scholars and experts.
1. The goal of a university is to facilitate—not shut down—conversations, including ones about Israel, Zionism, anti-Zionism, and Palestinian rights.
 2. Criticism of Israel is not equivalent to antisemitism. This principle is agreed upon by all three of the major definitions of antisemitism, and it is accepted by the vast majority of Jewish Studies faculty and numerous official statements by major Jewish organizations. However, experts vary significantly in their interpretation of when criticism of Israel may also be antisemitic.
 3. All university members have the right to hold their own positions and opinions on the Israeli-Palestinian conflict. Universities should never attempt to stifle robust debate and free speech. However, if one's position on Zionism and Israeli policies or one's position on Palestinian movements serves as a proxy for invoking hateful symbols and tropes (whether antisemitic, Islamophobic, or otherwise bigoted) and/or acts as a litmus test for inclusion in activities or clubs, then the protections of academic freedom no longer stand.
 4. Context is paramount in determining whether a given action or expression should be defined as antisemitic. Sometimes, in the very same incident, different people may legitimately perceive the line differently.
 5. Antisemitic ideas and actions sometimes appear in discourse about Israel and should not be tolerated, regardless of how strongly a group or individual may feel about criticizing Israel. Examples of this could include: demanding that students or student organizations, simply because they are identified as Jewish, take a position against Israel in order to participate in activities; holding all Jews accountable for the actions or policies of the State of Israel; and invoking symbols and images clearly associated with classic antisemitic tropes in critiques of Israel,

including blood libel, Jewish associations with fantastical power, financial control, or conspiracies for global domination.

In making available this report, the AJS hopes that its recommendations will serve as a source of clarity and practical guidance for many colleagues, diversity offices, institutions, and organizations. Likewise, and in the spirit of the document, the Task Force intends the report to facilitate more and better conversations about antisemitism and academic freedom.