

**Meeting Agenda and Notice**  
**Community Advisory on Public Safety Commission**

**Wednesday, April 24, 2024 at 4:30 pm – 6:00 pm**

**Allison Conference Room (#225), Showers Building, 401 N. Morton Street**

**The public may also access the meeting at the following link:**

<https://bloomington.zoom.us/j/88064525074?pwd=xqME3WyZXzYbv9E42hJ21i7jxcHVs.1>

- I. ROLL CALL & INTRODUCTIONS
- II. ELECTION OF SECOND CO-CHAIR
- III. APPROVAL OF AGENDA AND APPROVAL OF MEMORANDA/MINUTES
  - A. Regular Session Minutes – February 28, 2024
    - i. Correct Name of Feb 28 Agenda Item in Minutes: “CAPS Letter in Support of BPAC’s Ceasefire Resolution”
  - B. Possible Motion to Extend Meeting by 30 Minutes to 6:30 pm
- IV. REPORTS (if any)
  - A. Co-Chairs
  - B. Individual Members
  - C. Committees
  - D. Staff
- V. OTHER BUSINESS
  - A. Budget Requests
  - B. Approval of Public Comment Procedures for This Meeting
- VI. NEW BUSINESS
  - A. Initial reading of “CAPS’ Statement on the IHRA’s Working Definition of Antisemitism”
  - B. Hearing remarks from CAPS’ invited guests as well as any public comments on the topic of the IHRA definition
  - C. Discuss and Vote on Statement
- VII. TOPIC SUGGESTIONS FOR FUTURE AGENDAS
- VIII. ADJOURNMENT

### CAPS Commission Goals and Purpose:

Perform research and gather data on the perceptions and preferences about public safety from community members, with specific focus on perceptions and preference data gathered from minority community members, individuals who are disabled, and other often marginalized community members

Research evidence-based alternatives to traditional policing

Identify best practices in public safety globally and evaluate the efficacy of such practices for implementation in Bloomington.

Make recommendations to the Common Council, the Board of Public Safety, and/or the Mayor or the Mayor's designee on policies and programs that enhance public safety for all community members.

**MEMORANDUM**

**Community Advisory on Public Safety (CAPS) Commission  
Wednesday, February 28, 2024 at 4:30 p.m. – Allison Conference Room (#225),  
401 N. Morton Street, Bloomington, Indiana**

The Regular Session meeting was called to order at 4:35 p.m.

**Commission members present in person:** Jason Michalek, Todd Mullins, Nejla Routsong, Adrienne Weber, Jenna Buckner

**Commission members present over Zoom:** Kamala Brown-Sparks, Patty Moon

**Commission members absent:** Tyler Shaffer, Sophia Amos

**Public present:** Hemayatullah Shahrani

**City staff present:** Ash Kulak

I. ROLL CALL (4:35 p.m.)

II. APPROVAL OF AGENDA (4:39 p.m.)

- Cm. Routsong moved and it was seconded to move item VII(a) to after III (Approval of Minutes) and before IV (Reports). Motion passed 7-0.

III. APPROVAL OF MINUTES (4:41 p.m.)

- Cm. Routsong moved and it was seconded to approve the minutes from January 24, 2024. Motion passed 7-0.

VII. NEW BUSINESS (4:42 p.m.) - *Item moved by earlier Motion -*

a. CAPS Letter In Support of BPAC's Ceasefire Resolution

- Cm. Routsong introduced this item and the guest speaker to present on it.
- Guest Hemayatullah Shahrani was invited to speak from Coalition for Justice and Peace in Palestine and Israel.
- Shahrani gave a brief summary of this item for consideration, which is requesting city representatives consider and pass a resolution calling for a ceasefire in Gaza.
- Shahrani gave a brief overview of current events of the humanitarian crisis and catastrophe in Gaza and stated that all human life is precious and should be respected and protected, and that rules of engagement must be followed, especially with civilians.
- Shahrani stated that this item would ask the city to also hold the view that it condemns any form of bigotry and discrimination and that it wants to be on the right side of history and have in the historical record proof that the city tried to do what it could to protect humanity.

- Shahrani emphasized this request is specifically from a humanitarian perspective, requesting a permanent and immediate end to fighting, an opening of humanitarian aid channels, and release of all hostages.
- No commissioner questions on the letter.
- Co-chair Brown-Sparks called the matter to a vote. Passed 6-0-1.

#### IV. REPORTS (4:57 p.m.)

##### a. Co-chairs:

- Co-chair Brown-Sparks commended the screenshare and panel event put on by the Outreach Committee.

##### b. Individuals:

- Cm. Weber also commended the event and commented on notable aspects of the film.
- Cm. Moon also commended the event and the expert panel, noting that she heard a lot of positive feedback.

##### c. Committees:

- Reparations Committee: Co-chair Brown-Sparks reported that the committee is hoping to meet at the end of March and that it is looking for additional members.
- Outreach Committee: Cm. Routsong gave an update on further outreach to Liz Grenat of the Community Justice and Mediation Center (CJAM), involved in some previous Commission events, in order to coordinate coaching or consulting folks on the Outreach committee willing to facilitate future events and conversations in the Community Safety Roundtable which has seven people signed up so far. Cm. Routsong also commended the weekend's events and gave an update on the committee's next steps, specifically building relationships with the community, university, and city administration. Cm. Routsong also stated that the committee is accepting new members.

##### d. Staff:

- Staff liaison Kulak first paused the camera in order to change the layout of the OWL (camera) in the room. Then they gave several updates: (1) the video recording of the Outreach committee's panel from the weekend was still processing; (2) the City Council's Special Committee on Council Processes would like suggestions on what, if any, changes to make to the Bloomington Municipal Code governing the CAPS Commission; (3) the Seventh Circuit issued an order staying an injunction that made the state's affirming health care ban for transgender youth go into immediate effect, which was relevant to the CAPS Commission's resolution calling for the City to be a sanctuary city for transgender youth; and (4) the ceasefire discussions coming to the City Council were, at this time, during public comment and not on their meeting agenda.

#### V. REPORTS FROM PUBLIC (5:15 p.m.) – None.

*- The Brief Recess was cancelled without objections -*

## VI. OTHER BUSINESS (5:15 p.m.)

### a. Request for Feedback from Common Council Special Committee on Council Processes

- Staff liaison Kulak summarized this item, noting that the Special Committee on Council Processes is asking this of all city boards and commissions to determine what, if any, code updates are needed, and staff liaison Kulak then gave suggestions on the types of procedural changes to suggest to the Special Committee, including the number of members, the number of required meetings to be held, and the types of officers that are to be elected.
- Cm. Routsong requested an official process or mechanism by which the city prefers boards and commissions to do outreach with other city boards and commissions. Cm. Routsong explained the reason behind this request in detail to new members who were unaware of the events last fall in which CAPS members ran into obstacles attempting to get on other city board and commission agendas to conduct outreach about the Alternative Public Safety Report and its recommendations.
- Cm. Routsong did not have other suggestions to change the code provisions governing the CAPS Commission, noting that it matches what the Commission is working on.
- Cm. Moon responded to a suggested procedural change with regard to the number of members on the commission, noting that a larger capacity even without all seats filled is still a good thing to try to get as many people involved as possible.
- Cm. Moon also stated that it is worthwhile to let the Special Committee know that it is aware that the CAPS Commission does not elect officers annually and to inform it of the Commission's co-chair procedures.

## VII. NEW BUSINESS (5:33 p.m.)

### a. - *This Item was moved by earlier Motion -*

### b. Letter on Consideration for Reappointment of CAPS Member

- Co-chair Brown-Sparks explained the purpose of this item, in that a CAPS member's term was ending and they were worried about the reappointment process due to their previous outreach efforts.
- Cm. Moon and Cm. Mullins asked several questions about the purpose of the letter and incidents surrounding the reason for writing the letter.
- Co-chair Brown-Sparks explained that this commissioner was conducting outreach to other city boards and commissions and wanted to make sure the city knew it was done on behalf of the commission as a whole and not on their own and that the commission had knowledge of it before it was done.
- Staff liaison Kulak noted that Interview Committee Team B had already met and made a recommendation to reappoint the person in question.
- Co-chair Brown-Sparks wanted to bring the item to a vote because the letter itself said that the commission was going to vote on it. Cm. Moon moved and it was seconded to recommend and endorse what the letter says. Motion passed 6-0-1.

c. Good Communication Practices

- Cm. Michalek explained this item, Ten Thoughts on Working Together, borrowed from the city council office. Cm. Michalek recommended using this document as a non-binding working document or guide on working with each other.
- Cm. Buckner thought it was good for the Outreach Committee to use as a guide as well. Cm. Buckner moved and it was seconded that the Outreach Committee uses this as a working document in the future. No opposition. Motion passed.

d. City Council Addresses Public Safety at its First Meeting of the Year

- Cm. Routsong explained the articles in the packet including the City Council discussing safety and the Mayor's plans to no longer move BPD to Showers West. Cm. Routsong stated that the Outreach Committee plans to do outreach based on statements made by Councilmembers discussing non-policing alternatives.
- Cm. Routsong also discussed the Herald Times article about rising crime rates that was published on the same day as the panel discussion. Cm. Routsong stated that these articles all affirm that the work the commission is doing is shaping the conversation in the local community and the work still needing to be done.
- Cm. Routsong suggested doing outreach to the Herald Times about the sensationalism of its article. Cm. Routsong asked other commissioners to keep an eye out for additional local news items on crime and public safety.

VIII. TOPIC SESSIONS FOR FUTURE AGENDAS (5:59 p.m.)

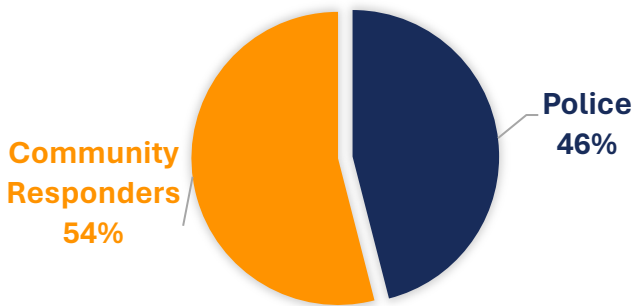
- None

Co-chair Brown-Sparks adjourned the meeting at 6:00 p.m.

Memorandum prepared by:  
Ash Kulak, Staff



Up to 54% of all service calls to which BPD officers are currently being dispatched might be better served by community responders.



Many calls to 911 involve quality-of-life matters and other minor incidents that might need quick attention but are better suited for civilian responders rather than armed police officers.

Relying on the police to handle these low-level issues can have lasting effects. Aggressively enforcing minor offenses and unnecessary negative interactions with law enforcement not only impact the well-being of residents but also undermine trust in the police among the public.

We need to reimagine how Bloomington deals with safety for the betterment of the Bloomington community.

Hoosiers living in Bloomington are not getting the appropriate resources they need and deserve.

- ❖ In May 2022, among adults in Indiana who reported experiencing symptoms of anxiety and/or depressive disorder, over 25% reported needing counseling or therapy but not receiving it in the past four weeks.
- ❖ Monroe County was among the top counties in Indiana counties for abusing alcohol, marijuana, cocaine, prescription drugs, and overall substance abuse in 2013, 2014, and 2016.
- ❖ Compared to other similarly populated cities in the United States, Bloomington has a higher percentage of the population who experience frequent mental distress and deaths from opioid overdose.

“Safety for all, at the expense of none”

# Issue Brief

Advancing Alternative Public Safety Policies in  
Bloomington, IN

## What Is The Issue?

The 2023 report from the City of Bloomington Community Advisory on Public Safety (CAPS) Commission<sup>1</sup> emphasizes the need for alternative public safety. The report was produced amidst nationwide conversations about public safety in light of evolving community needs and societal challenges. Factors such as racial discrimination, housing insecurity, homelessness, substance use, untreated mental illness, and systemic marginalization contribute to mistrust among the community and feelings of insecurity. Traditionally, law enforcement is asked to respond, even when a crime hasn't been committed. This approach is increasingly called into question, both by the officers and the public, demanding a reevaluation of strategies to ensure the safety and well-being of all individuals. Addressing public safety from a holistic policy perspective to address the social determinants of health is imperative for fostering community well-being, enhancing social cohesion, and decreasing disparities. Rising rates of crime, homelessness, substance abuse, and mental illness not only jeopardize individual safety but also strain resources and undermine economic prosperity for the City of Bloomington. Figure 1 illustrates the interconnected factors affecting public safety in the Bloomington community. Furthermore, disparities in access to safety resources exacerbate existing inequities, disproportionately impacting marginalized groups and creating a subset of safety-marginalized groups. To meet the needs of all Bloomington community members, including marginalized and safety-marginalized groups, proactive measures such as alternative public safety services are essential to address the root causes of crime, expand resource accessibility, and enhance safety for all residents of Bloomington.

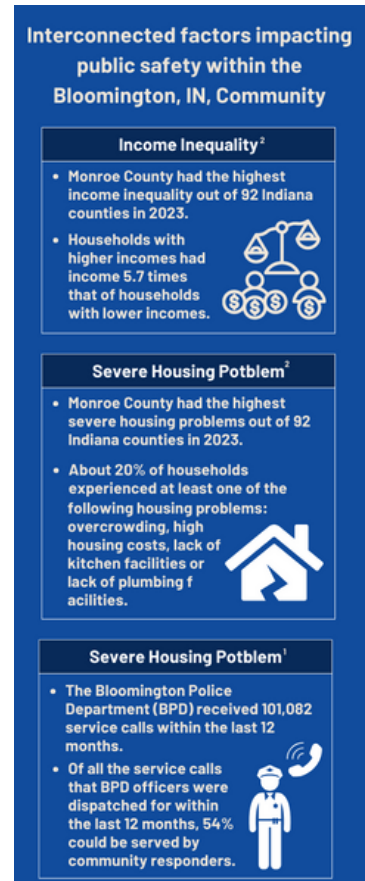
## What Can Be Done?

The City of Bloomington established the CAPS Commission in late 2020 in response to these pressing issues and the Black Lives Matter movement. This commission prioritizes civil and human rights, particularly for marginalized groups, conducting extensive research and community engagement to explore alternative public safety solutions. The CAPS Commission has identified critical gaps and areas for intervention. Their findings reveal that traditional policing methods are insufficient to address public safety in a holistic manner and emphasize the importance of community involvement and alternative safety programs, particularly for marginalized voices. The policy implications for introducing alternative public safety measures may involve redistributing governmental funds across departments involved in public safety or reorganizing existing structures to better align with community needs. Implementing such policies will ensure equitable access to trusted public safety services for all residents of Bloomington. However, it is essential to conduct further research to assess the legal, ethical, economic, epidemiological, and political feasibility of each policy alternative. These collective efforts signify a commitment to fostering more inclusive, effective, and evidence-based approaches to public safety in Bloomington.

## Conclusion

The imperative for alternative public safety solutions carries significant policy implications, demanding a proactive and inclusive approach to address Bloomington's safety challenges. By emphasizing equity, collaboration, and evidence-based strategies, the CAPS Commission is dedicated to advocating for policy solutions that promote alternative public safety measures. For those passionate about advocating for public safety, the CAPS Commission invites you to engage and contribute to their ongoing discussions. As a community, we can work towards building a safer and more equitable Bloomington for all.

FIGURE 1



1 Community Advisory on Public Safety (CAPS) Commission. (2023). Alternative Public Safety Report: Safety for All, at the Expense of None. City of Bloomington. <https://bloomington.in.gov/sites/default/files/2023-09/CAPS%20Alternative%20Public%20Safety%20Report%20-%20update%209.5.2023%20%26%20approved%209.13.2023.pdf>

2 County Health Rankings & Roadmaps. (n.d.). County Health Rankings. <https://www.countyhealthrankings.org/what-impacts-health/county-health-rankings-model>



# CAPS Commission 2023-2025 Budget Requests

## Unfunded 2023 Recommendation for a Feasibility Study

The CAPS Commission requests the City to fully fund its 2023 Alternative Public Safety Report recommendations in the 2025 City Budget, including \$40,000-\$65,000 for a feasibility study to research the likely organizational, economic and legal impacts of a Department of Community Safety and Resilience.

## 2024 Budget Request

Community Safety Library (with space/shelf at city hall\*) with books approved by CAPS for community education - **\$500**

Safety-Marginalized communities (SMC) Outreach - payment for one peer liaison - 10 hours/week @ 5 weeks x \$15/hour = **\$750**

Bloomington Community Safety Coalition - Refreshments (coffee, donuts, water, bananas) for 3-hour meeting for community 12-15 participants x 3 meetings = **\$250**, Facilitation coaching from Liz Grenat **\$600**

Community events - general fund for speaking fees or refreshments **\$500**

**Total 2024 Request: \$2,600**

## 2025 Budget Request

Community Safety Library with books approved by CAPS for community education - **\$500**

Safety-Marginalized communities (SMC) Outreach - payment for 2 peer liaisons - 10 hours/week @ 5 weeks x \$15/hour = **\$1500**

\*The CAPS Commission requests a dedicated shelf space in the City Hall building, preferably in the Allison Conference Room, where it can create and store a Community Safety Library with books approved for education and outreach with city officials on the topic of community safety.

Bloomington Community Safety Coalition - Refreshments (coffee, donuts, water, bananas) for 3-hour meeting for community 12-15 participants x 6 meetings = **\$500**, Facilitation coaching from Liz Grenat **\$1200**

Community events - general fund for speaking fees or refreshments **\$500**

**Total 2025 Request: \$4,200**

Community Advisory on Public Safety Commission  
Statement 24-01 - On the IHRA's Working Definition of Antisemitism

## BACKGROUND

The CAPS Commission was recently accused of antisemitism for asking the Common Council to take up and pass a resolution urging the US government to call for a lasting ceasefire in Gaza. The accusation was based on the International Holocaust Remembrance Alliance (IHRA)'s "working definition of antisemitism." This definition represents one pole of a debate among scholars of Jewish studies about how to recognize antisemitism. The IHRA definition has been criticized by a variety of human and legal rights groups for listing several "examples" of antisemitism that regard speech made toward Israel, including holding what it calls "double standards" against Israel: "Applying double standards by requiring of [Israel] a behavior not expected or demanded of any other democratic nation." [1]

For implying that calls for change in US policy toward Israel may be antisemitic speech unless they also include a long list of condemnations of other states and non-state actors, the IHRA definition and its "double standards" example has been criticized by scholars and legal experts as confusing the public about antisemitism and threatening the rights of US citizens to exercise constitutionally protected speech against government policies. In its April 24 meeting, CAPS seeks to thoroughly investigate this accusation, promote civic discourse on the IHRA definition of antisemitism and explore how it might affect safety and marginalized people in our community.

## ON BIGOTRY AND ANTISEMITISM

The CAPS Commission detests and condemns bigotry and hate speech against marginalized peoples, including Jewish people, and actively works to promote policies, programs and civic discourse that will improve the safety of all marginalized community members. For this reason, CAPS views any accusation of bigotry or hate speech against its work as warranting investigation.

Antisemitism is a real and legitimate threat in our community. In March 2022, CAPS passed *Resolution 22-01 - Condemning Antisemitism and Anti-Jewish Violence* [2] which documents several acts of antisemitism, including acts of violence, bigotry and intimidation, that have occurred in Bloomington in recent memory. That Resolution "condemns antisemitism and acts of anti-Jewish bigotry as morally reprehensible in themselves as well as serious threats to public safety, and it denounces the antisemitic sentiments that give rise to such acts as false, hateful and antithetical to core American values."

## ACCUSATION AGAINST CEASEFIRE RESOLUTION

When CAPS passed a letter in February 2024 asking the Council to pass a resolution supporting a ceasefire in Gaza, it was carrying out its mission of advocating for policy change to improve the safety of all Bloomington's residents and visitors by amplifying the voices of the marginalized. The subsequent accusation of antisemitism against the ceasefire resolution [3], based in the "double standards" example of the IHRA, implicates not only CAPS, but also two thousand city residents who signed the resolution's online petition. [4]

The accusation especially implicates the local community members who wrote the original resolution draft and submitted it to the CAPS Commission and the Council - many of whom are Jewish or members of other marginalized groups. Furthermore, the accusation even implies that the Council is antisemitic for voting 9-0 for the final draft of the resolution. [5]

## THREAT TO FREE SPEECH

Such assertions conflating political speech with hate speech are not isolated to Bloomington or to this topic. However, if such assertions of bigotry are not firmly rejected by public bodies such as the CAPS Commission, these statements may suppress the voices of Bloomington residents on important policies related to safety. "The IHRA definition has often been used to wrongly label criticism of Israel as antisemitic, and thus chill and sometimes suppress, non-violent protest, activism and speech critical of Israel and/or Zionism, including in the US and Europe," [6] This explanation, urging the United Nations to reject the IHRA definition, was included in a letter written and signed by over 100 Israeli and European human rights agencies in April 2023.

In encouraging greater use of the IHRA definition against its critics, the Israeli government recently recommended that "the battle against antisemitism should shift from the defensive to the offensive" by utilizing the definition and its "3 D's of antisemitism." [7] As Yousef Munayyer, a senior fellow at Arab Center Washington DC said in *The Intercept*, "This shift recognizes that 'defending' Israeli policies is not working since more and more people are recognizing the horrific treatment of Palestinians for the fundamental injustice that it is. Instead of defending these policies, the strategy calls for attacking critics of them." [8]

## TWO RESPONSES TO THE IHRA DEFINITION

Two other definitions of antisemitism have been created in response to the IHRA definition. As James H. Rudy Professor of Political Science at Indiana University Jeffrey C. Isaac told the Indiana state senate in February 2024: "The [IHRA] definition is not as 'universal' as some have said. It has been challenged by hundreds of scholars of antisemitism, the Holocaust, and Israel—mainly Jewish scholars—in two very well-known documents, the Jerusalem Declaration on Antisemitism and the Nexus Document on Antisemitism." [9] In fact, the JDA and Nexus Document explicitly reject the IHRA's "double standards" example.

Citing international law, the JDA states, “Political speech does not have to be measured, proportional, tempered, or reasonable to be protected under Article 19 of the Universal Declaration of Human Rights or Article 10 of the European Convention on Human Rights and other human rights instruments. Criticism that some may see as excessive or contentious, or as reflecting a “double standard,” is not, in and of itself, antisemitic.” [10]

The Nexus Document says there are “numerous reasons” why such speech may not be antisemitic: “Paying disproportionate attention to Israel and treating Israel differently than other countries is not prima facie proof of antisemitism. (There are numerous reasons for devoting special attention to Israel and treating Israel differently, e.g., some people care about Israel more; others may pay more attention because Israel has a special relationship with the United States and receives \$4 billion in American aid).” [11]

## THREAT TO JEWISH PEOPLE

Moreover, the confusion created by the IHRA definition could make it harder for Americans to recognize legitimate instances of antisemitism. As Daniel A. Segal, coordinating committee member of Jewish Voice for Peace Indiana, wrote in the *Indianapolis Star* in January 2024 urging the State of Indiana not to incorporate the IHRA definition into law, doing so “would undermine the struggle against antisemitism and thus make me and other Jews less safe in Indiana.” Segal further remarked that the bill “tramples our First Amendment rights as Americans, precisely as the ACLU of Indiana has recognized, while sowing confusion about antisemitism.” [12]

Additionally, the national ACLU recently wrote a February 2024 letter urging the US Department of Education to reject the IHRA definition because it “conflates protected political speech with unprotected discrimination, and enshrining it into regulation will chill the exercise of First Amendment rights and risk undermining the agency’s legitimate and important efforts to combat discrimination.” [13]

## THREAT TO PALESTINIAN AND MUSLIM PEOPLE

Besides threatening the free speech rights of all Americans and threatening the safety of Jewish people by causing confusion about antisemitism, the IHRA definition also has been used to violate the rights of Palestinians and Muslims. Two legal and political rights groups in the US, Palestine Legal and JVP Action, oppose the IHRA because “Many of the most vocal proponents of the definition openly support its use as a censorship tool, and the definition is most often wielded to silence Palestinian human rights advocates - especially Palestinian and Muslim academics and students, who are frequently and falsely smeared as antisemitic solely for their speech in support of Palestinian rights.” [14]

## REJECTION OF ACCUSATION OF ANTISEMITISM

CAPS recently released an Alternative Public Safety Report entitled “Safety for All, At the Expense of None,” which was named to help the community navigate situations when the safety of one group of people is presented as an obstacle to the safety of another group. The Commission rejects the assertion that human safety is zero-sum: By asking the US government to allow humanitarian aid to enter safely into Gaza and to take the first necessary step toward a lasting peace, the ceasefire resolution improves the safety of the residents of Gaza, Israel and Bloomington.

The Commission rejects this accusation and opposes the IHRA definition as: 1) endangering the First Amendment rights of all people in Bloomington, including Palestinian, Jewish and Muslim people, to speak on matters related to public safety, 2) a potential threat to the safety of the Jewish community by making it more difficult to recognize antisemitism. Furthermore, CAPS urges the City and all community members to oppose the IHRA working definition of antisemitism and any other definition of hate speech that sows confusion or threatens the rights of marginalized people to speak freely on matters related to safety.

PASSED by the Community Advisory on Public Safety Commission of the City of Bloomington, Monroe County, Indiana, this \_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Co-Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Chair

\_\_\_\_\_  
Date

## CITATIONS

- [1] “Working Definition of Antisemitism.” *International Holocaust Remembrance Alliance*.  
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- [3] “Pro-Palestinian Messages Were Graffitied onto City Hall Last Week.” Local News, Staff Report. *The Bloomingtonian*. April 1, 2024.  
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- [4] “Bloomington Calls for a CEASE FIRE in Gaza” *Change.org*  
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- [5] “RESOLUTION 2024-08 A Resolution Calling For a Cessation of Hostilities and for Delivery of Humanitarian Aid to Civilians in Gaza” *Bloomington Common Council*.  
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- [9] Jeffrey C. Isaac. *Democracy in Dark Times*. “Why the State of Indiana Should Not Codify the IHRA Definition of Antisemitism.” February 21, 2024.  
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- [10] “The Jerusalem Declaration on Antisemitism.” *The Jerusalem Declaration on Antisemitism*.  
<<https://jerusalemdeclaration.org/>>

[11] “The Nexus Document on Antisemitism.” *The Nexus Project*.  
<<https://nexusproject.us/the-nexus-document/>>

[12] Daniel A. Segal. *The Indianapolis Star*. “Opinion: Why I, As a Jew, Oppose Indiana’s Bill Defining Antisemitism.” January 23, 2024.  
<<https://www.indystar.com/story/opinion/2024/01/23/why-as-a-jew-i-oppose-indianas-bill-defining-antisemitism/72313170007/>>

[13] “Reject Definitions of Antisemitism that Encompass Protected Speech.” *American Civil Liberties Union*. Letter from the ACLU to the US Department of Education. February 6, 2024.  
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[14] “Dismantle Antisemitism, Not Palestinian Rights: Oppose the IHRA Definition of Antisemitism.” *Palestine Legal*.  
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## COMMUNITY SUPPORTERS

Bloomington Peace Action Coalition

Citizens for a Just Peace in Palestine and Israel

Palestine Solidarity Committee at Indiana University

Jewish Voice for Peace Indiana



## APPENDIX

### SUPPORTING STATEMENT FROM JVP INDIANA

#### JEWISH VOICE FOR PEACE INDIANA

Jewish Voice for Peace Indiana (JVP Indiana) applauds the Bloomington CAPS commission for its endorsement of and campaigning for the Bloomington City Council's principled pro-peace ceasefire motion. JVP Indiana knows that the CAPS commission has been attacked as "antisemitic" for this good work; we reject this charge and stand with the CAPS commission.

JVP Indiana knows that the false charge of antisemitism has been hung on the so-called IHRA working definition of antisemitism, which tells the lie that criticisms of the Israeli state and opposition to Zionism are, somehow, antisemitism. JVP-Indiana knows that this dishonest weaponization of charges of antisemitism is hateful and harmful to Palestinians. We also know it does nothing to make Jews safer; to the contrary, by creating confusion about antisemitism (in fealty to Zionism and the Israeli state), IHRA makes it harder to fight antisemitism and is thus bad for Jews as well as Palestinians.

That said, our main concern in rejecting IHRA, and its use in unfairly attacking CAPS, is that this definition supports hate against Palestinians. Zionism is a project of settler colonialism at the expense of Palestinians' lives and rights; opposing Zionism is a matter of supporting equality and freedom for Palestinians: this has nothing at all to do with antisemitism. Full stop.

Daniel A. Segal, for JVP Indiana

## Working definition of antisemitism

In the spirit of the Stockholm Declaration that states: "With humanity still scarred by ...antisemitism and xenophobia the international community shares a solemn responsibility to fight those evils" the committee on Antisemitism and Holocaust Denial called the IHRA Plenary in Budapest 2015 to adopt the following working definition of antisemitism.

On 26 May 2016, the Plenary in Bucharest decided to:

**Adopt the following non-legally binding working definition of antisemitism:**

**"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."**

To guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

1. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
2. Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
3. Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.

4. Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
5. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
6. 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.
7. 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.
8. Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
9. Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
10. Drawing comparisons of contemporary Israeli policy to that of the Nazis.
11. Holding Jews collectively responsible for actions of the state of Israel.

**Antisemitic acts are criminal** when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

**Criminal acts are antisemitic** when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

**Antisemitic discrimination** is the denial to Jews of opportunities or services available to others and is illegal in many countries.

[The above is copied from the IHRA's website:

<https://holocaustremembrance.com/resources/working-definition-antisemitism>]

# THE JERUSALEM DECLARATION ON ANTISEMITISM

March 25 2021

## *Preamble*

We, the undersigned, present the Jerusalem Declaration on Antisemitism, the product of an initiative that originated in Jerusalem. We include in our number international scholars working in Antisemitism Studies and related fields, including Jewish, Holocaust, Israel, Palestine, and Middle East Studies. The text of the Declaration has benefited from consultation with legal scholars and members of civil society.

Inspired by the 1948 Universal Declaration of Human Rights, the 1969 Convention on the Elimination of all Forms of Racial Discrimination, the 2000 Declaration of the Stockholm International Forum on the Holocaust, and the 2005 United Nations Resolution on Holocaust Remembrance, we hold that while antisemitism has certain distinctive features, the fight against it is inseparable from the overall fight against all forms of racial, ethnic, cultural, religious, and gender discrimination.

Conscious of the historical persecution of Jews throughout history and of the universal lessons of the Holocaust, and viewing with alarm the reassertion of antisemitism by groups that mobilize hatred and violence in politics, society, and on the internet, we seek to provide a usable, concise, and historically-informed core definition of antisemitism with a set of guidelines.

The Jerusalem Declaration on Antisemitism responds to “the IHRA Definition,” the document that was adopted by the International Holocaust Remembrance Alliance (IHRA) in 2016. Because the IHRA Definition is unclear in key respects and widely open to different interpretations, it has caused confusion and generated controversy, hence weakening the fight against antisemitism. Noting that it calls itself “a working definition,” we have sought to improve on it by offering (a) a clearer core definition and (b) a coherent set of guidelines. We hope this will be helpful for monitoring and combating antisemitism, as well as for educational purposes. We propose our non-legally binding Declaration as an alternative to the IHRA Definition. Institutions that have already adopted the IHRA Definition can use our text as a tool for interpreting it.

The IHRA Definition includes 11 “examples” of antisemitism, 7 of which focus on the State of Israel. While this puts undue emphasis on one arena, there is a widely-felt need for clarity on the limits of legitimate political speech and action concerning Zionism, Israel, and Palestine. Our aim is twofold: (1) to strengthen the fight against antisemitism by clarifying what it is and how it is manifested, (2) to protect a space for an open debate about the vexed question of the future of Israel/Palestine. We do not all share the same political views and we are not seeking to promote a partisan political agenda. Determining that a controversial view or action is not antisemitic implies neither that we endorse it nor that we do not.

The guidelines that focus on Israel-Palestine (numbers 6 to 15) should be taken together. In general, when applying the guidelines each should be read in the light of the others and always with a view to context. Context can include the intention behind an utterance, or a pattern of speech over time, or even the identity of the speaker, especially when the subject is Israel or Zionism. So, for example, hostility to Israel could be an expression of an antisemitic animus, or it could be a reaction to a human rights violation, or it could be the emotion that a Palestinian person feels on account of their experience at the hands of the State. In short, judgement and sensitivity are needed in applying these guidelines to concrete situations.

# Definition

*Antisemitism is discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish).*

## Guidelines

### A. General

1. It is racist to essentialize (treat a character trait as inherent) or to make sweeping negative generalizations about a given population. What is true of racism in general is true of antisemitism in particular.
2. What is particular in classic antisemitism is the idea that Jews are linked to the forces of evil. This stands at the core of many anti-Jewish fantasies, such as the idea of a Jewish conspiracy in which “the Jews” possess hidden power that they use to promote their own collective agenda at the expense of other people. This linkage between Jews and evil continues in the present: in the fantasy that “the Jews” control governments with a “hidden hand,” that they own the banks, control the media, act as “a state within a state,” and are responsible for spreading disease (such as Covid-19). All these features can be instrumentalized by different (and even antagonistic) political causes.
3. Antisemitism can be manifested in words, visual images, and deeds. Examples of antisemitic words include utterances that all Jews are wealthy, inherently stingy, or unpatriotic. In antisemitic caricatures, Jews are often depicted as grotesque, with big noses and associated with wealth. Examples of antisemitic deeds are: assaulting someone because she or he is Jewish, attacking a synagogue, daubing swastikas on Jewish graves, or refusing to hire or promote people because they are Jewish.
4. Antisemitism can be direct or indirect, explicit or coded. For example, “The Rothschilds control the world” is a coded statement about the alleged power of “the Jews” over banks and international finance. Similarly, portraying Israel as the ultimate evil or grossly exaggerating its actual influence can be a coded way of racializing and stigmatizing Jews. In many cases, identifying coded speech is a matter of context and judgement, taking account of these guidelines.
5. Denying or minimizing the Holocaust by claiming that the deliberate Nazi genocide of the Jews did not take place, or that there were no extermination camps or gas chambers, or that the number of victims was a fraction of the actual total, is antisemitic.

### B. Israel and Palestine: examples that, on the face of it, are antisemitic

6. Applying the symbols, images, and negative stereotypes of classical antisemitism (see guidelines 2 and 3) to the State of Israel.
7. Holding Jews collectively responsible for Israel’s conduct or treating Jews, simply because they are Jewish, as agents of Israel.

8. Requiring people, because they are Jewish, publicly to condemn Israel or Zionism (for example, at a political meeting).
9. Assuming that non-Israeli Jews, simply because they are, Jews are necessarily more loyal to Israel than to their own countries.
10. Denying the right of Jews in the State of Israel to exist and flourish, collectively and individually, as Jews, in accordance with the principle of equality.

### C.

### Israel and Palestine: examples that, on the face of it, are not antisemitic (whether or not one approves of the view or action)

11. Supporting the Palestinian demand for justice and the full grant of their political, national, civil, and human rights, as encapsulated in international law.
12. Criticizing or opposing Zionism as a form of nationalism, or arguing for a variety of constitutional arrangements for Jews and Palestinians in the area between the Jordan River and the Mediterranean. It is not antisemitic to support arrangements that accord full equality to all inhabitants “between the river and the sea,” whether in two states, a binational state, unitary democratic state, federal state, or in whatever form.
13. Evidence-based criticism of Israel as a state. This includes its institutions and founding principles. It also includes its policies and practices, domestic and abroad, such as the conduct of Israel in the West Bank and Gaza, the role Israel plays in the region, or any other way in which, as a state, it influences events in the world. It is not antisemitic to point out systematic racial discrimination. In general, the same norms of debate that apply to other states and to other conflicts over national self-determination apply in the case of Israel and Palestine. Thus, even if contentious, it is not antisemitic, in and of itself, to compare Israel with other historical cases, including settler-colonialism or apartheid.
14. Boycott, divestment, and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic.
15. Political speech does not have to be measured, proportional, tempered, or reasonable to be protected under article 19 of the Universal Declaration of Human Rights or article 10 of the European Convention on Human Rights and other human rights instruments. Criticism that some may see as excessive or contentious, or as reflecting a “double standard,” is not, in and of itself, antisemitic. In general, the line between antisemitic and non-antisemitic speech is different from the line between unreasonable and reasonable speech.

# **FAQ** on the JDA from <https://jerusalemdeclaration.org/>

## **Q: What is the Jerusalem Declaration on Antisemitism (JDA)?**

The JDA is a resource for strengthening the fight against antisemitism. It comprises a preamble, definition, and a set of 15 guidelines.

## **Who are the authors?**

International scholars in antisemitism studies and related fields, who, from June 2020, met in a series of online workshops, with different participants at different times. The JDA is endorsed by a diverse range of distinguished scholars and heads of institutes in Europe, the United States, Canada and Israel.

## **Why “Jerusalem”?**

Originally, the JDA was convened in Jerusalem by the Van Leer Jerusalem Institute.

## **Why now?**

The JDA responds to the Working Definition of Antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) in 2016. “The IHRA Definition” (including its “examples”) is neither clear nor coherent. Whatever the intentions of its proponents, it blurs the difference between antisemitic speech and legitimate criticism of Israel and Zionism. This causes confusion, while delegitimizing the voices of Palestinians and others, including Jews, who hold views that are sharply critical of Israel and Zionism. None of this helps combat antisemitism. The JDA responds to this situation.

## **So, is the JDA intended to be an alternative to the IHRA Working Definition?**

Yes, it is. People of goodwill seek guidance about the key question: When does political speech about Israel or Zionism cross the line into antisemitism and when should it be protected? The JDA is intended to provide this guidance, and so should be seen as a substitute for the IHRA Definition. But if an organization has formally adopted the IHRA Definition it can use the JDA as a corrective to overcome the shortcomings of the IHRA Definition.

## **Who does the definition cover?**

The definition applies whether Jewish identity is understood as ethnic, biological, religious, cultural, etc. It also applies in cases where a non-Jewish person or institution is either mistaken for being Jewish (“discrimination by perception”) or targeted on account of a connection to Jews (“discrimination by association”).

## **Should the JDA be officially adopted by, say, governments, political parties or universities?**

The JDA can be used as a resource for various purposes. These include education and raising awareness about when speech or conduct is antisemitic (and when it is not), developing policy for fighting antisemitism, and so on. It can be used to support implementation of anti-discrimination legislation within parameters set by laws and norms protecting free expression.

### **Should the JDA be used as part of a “hate speech code”?**

No, it should not. The JDA is not designed to be a legal or quasi-legal instrument of any kind. Nor should it be codified into law, nor used to restrict the legitimate exercise of academic freedom, whether in teaching or research, nor to suppress free and open public debate that is within the limits laid down by laws governing hate crime.

### **Will the JDA settle all the current arguments over what is and what is not antisemitic?**

The JDA reflects the clear and authoritative voice of scholarly experts in relevant fields. But it cannot settle all arguments. No document on antisemitism can be exhaustive or anticipate all the ways in which antisemitism will manifest in the future. Some guidelines (such as #5), give just a few examples in order to illustrate a general point. The JDA is intended as an aid to thinking and to thoughtful discussion. As such, it is a valuable resource for consultations with stakeholders about identifying antisemitism and ensuring the most effective response.

### **Why are 10 of the 15 guidelines about Israel and Palestine?**

This responds to the emphasis in the IHRA Definition, in which 7 out of 11 “examples” focus on the debate about Israel. Moreover, it responds to a public debate, both among Jews and in the wider population, that demonstrates a need for guidance concerning political speech about Israel or Zionism: when should it be protected and when does it cross the line into antisemitism?

### **What about contexts other than Israel and Palestine?**

The general guidelines (1-5) apply in all contexts, including the far right, where antisemitism is increasing. They apply, for instance, to conspiracy theories about “the Jews” being behind the Covid-19 pandemic, or George Soros funding BLM and Antifa protests to promote a “hidden Jewish agenda.”

### **Does the JDA distinguish between anti-Zionism and antisemitism?**

The two concepts are categorically different. Nationalism, Jewish or otherwise, can take many forms, but it is always open to debate. Bigotry and discrimination, whether against Jews or anyone else, is never acceptable. This is an axiom of the JDA.

### **Then does the JDA suggest that anti-Zionism is never antisemitic?**

No. The JDA seeks to clarify when criticism of (or hostility to) Israel or Zionism crosses the line into antisemitism and when it does not. A feature of the JDA in this connection is that (unlike the IHRA Definition) it also specifies what is not, on the face of it, antisemitic.

## **What is the underlying political agenda of the JDA as regards Israel and Palestine?**

There isn't one. That's the point. The signatories have diverse views about Zionism and about the Israeli-Palestinian conflict, including political solutions, such as one-state versus two-states. What they share is a twofold commitment: fighting antisemitism and protecting freedom of expression on the basis of universal principles.

## **But doesn't guideline 14 support BDS as a strategy or tactic aimed against Israel?**

No. The JDA's signatories have different views on BDS. Guideline 14 says only that boycotts, divestments and sanctions aimed at Israel, however contentious, are not, in and of themselves, antisemitic.

## **So, how can someone know when BDS (or any other measure) is antisemitic?**

That's what the general guidelines (1 to 5) are for. In some cases it is obvious how they apply, in others it is not. As has always been true when making judgments about any form of bigotry or discrimination, context can make a huge difference. Moreover, each guideline should be read in the light of the others. Sometimes you have to make a judgement call. The 15 guidelines are intended to help people make those calls.

## **Guideline 10 says it is antisemitic to deny the right of Jews in the State of Israel "to exist and flourish, collectively and individually, as Jews". Isn't this contradicted by guidelines 12 and 13?**

There is no contradiction. The rights mentioned in guideline 10 attach to Jewish inhabitants of the state, whatever its constitution or name. Guidelines 12 and 13 clarify that it is not antisemitic, on the face of it, to propose a different set of political or constitutional arrangements.

## **What, in short, are the advantages of the JDA over the IHRA Definition?**

There are several, including the following: The JDA benefits from several years of reflection on, and critical assessment of, the IHRA Definition. As a result, it is clearer, more coherent and more nuanced. The JDA articulates not only what antisemitism is but also, in the context of Israel and Palestine, what, on the face of it, it is not. This is guidance that is widely needed. The JDA invokes universal principles and, unlike the IHRA Definition, clearly links the fight against antisemitism with the fight against other forms of bigotry and discrimination. The JDA helps create a space for frank and respectful discussion of difficult issues, including the vexed question of the political future for all inhabitants of Israel and Palestine. For all these reasons, the JDA is more cogent, and, instead of generating division, it aims at uniting all forces in the broadest possible fight against antisemitism.



# Jewish definitions of antisemitism

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# “CLASSIC” STEREOTYPES OR TROPES

## **IHRA Intro:**

- Charges Jews with conspiring to harm humanity
- Blame Jews for “why things go wrong.”

## **IHRA 2:**

- Mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective
- Myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions

## **IHRA 9:**

- Claims of Jews killing Jesus or blood libel

## **Jerusalem A.2**

- Linked to forces of evil
- Possess hidden power that they use to promote their own collective agenda at the expense of other people
- Responsible for spreading disease

## **Jerusalem A.3**

- All Jews are wealthy, inherently stingy, or unpatriotic.
- Depict Jews as grotesque, with big noses and associated with wealth.

## **Jerusalem A.4**

- Portraying Israel as the ultimate evil or grossly exaggerating its actual influence

# IHRA and Jerusalem agree:

- Stereotypes and tropes (IHRA: intro, 2, 9. Jerusalem: A.2, A.3, B.6).
- Holocaust denial (Jerusalem A.5, IHRA 4, 5)
- Dog whistles (Jerusalem A.4)
- Conflating Israel and Jews (Jerusalem B.7, B.8, B.9, IHRA 11)
- Blaming Jews (IHRA 3, Jerusalem A.2)
- Dual loyalty (IHRA 6, Jerusalem B.9)
- Essentialism (Jerusalem A.1)
- Genocidal or violent acts or intents (IHRA 1)

# IHRA and Jerusalem agree (and disagree):

- Context matters (Jerusalem preamble)

# Jerusalem on context (preamble)

Context can include the intention behind an utterance, or a pattern of speech over time, or even the identity of the speaker, especially when the subject is Israel or Zionism.

So, for example, hostility to Israel could be an expression of an antisemitic animus, or it could be a reaction to a human rights violation, or it could be the emotion that a Palestinian person feels on account of their experience at the hands of the State.

# When talk about Israel is antisemitic

## **IHRA**

### **IHRA 7:**

- 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.

### **IHRA 8:**

- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.

### **IHRA 10**

- Drawing comparisons of contemporary Israeli policy to that of the Nazis.

### **(Natan Sharansky's "three Ds")**

- demonization, delegitimization, double standards

## **Jerusalem**

### **Jerusalem B.10**

- Denying the right of Jews in the State of Israel to exist and flourish, collectively and individually, as Jews, in accordance with the principle of equality

### **Jerusalem C.13**

- The same norms of debate that apply to other states ... apply in the case of Israel and Palestine.

### **Jerusalem B.6**

- Applying the symbols ... of classical antisemitism

### **Jerusalem B.7**

- Holding Jews collectively responsible for Israel's conduct or treating Jews ... as agents of Israel.

### **Jerusalem B.8**

- Requiring people, because they are Jewish, publicly to condemn Israel or Zionism.

# When talk about Israel is not antisemitic

## IHRA

### IHRA intro

- Criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic

## Jerusalem (usually “in and of themselves”)

- **Jerusalem C.11** Supporting the Palestinian demand for justice ... as encapsulated in international law.
- **Jerusalem C.12** Criticizing or opposing Zionism as a form of nationalism
- **Jerusalem C12** Arguing for a variety of constitutional arrangements for Jews and Palestinians in the area between the Jordan River and the Mediterranean.
- **Jerusalem C13** Evidence-based criticism of Israel as a state. ...It is not antisemitic to point out systematic racial discrimination. ... [or], in and of itself, to compare Israel with .... settler-colonialism or apartheid.
- **Jerusalem C14** Boycott, divestment and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic.