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February 1, 2023

Deborah Enix-Ross, Esq.
President
American Bar Association
750 North Lake Shore Drive
Chicago, Illinois 60611-4403

Dear Ms. Enix-Ross,

On behalf of the Anti-Defamation League (ADL), we commend the ABA for its efforts to combat antisemitism with Resolution 514. The legal community and institutions such as the ABA are foundational to ADL's work fighting hate, extremism, and all forms of bigotry. Our mission "to stop the defamation of the Jewish people and to secure justice and fair treatment to all" cannot be achieved without members of the legal profession joining us in the pursuit of justice and equality.

This Resolution comes at a time of rising antisemitism. ADL's most recent Audit of Antisemitic Incidents, for example, tracked 2,717 incidents – harassment, vandalism and assault -- across the country, which reflected a 34% increase over the year before and represented by far the highest number the agency has tracked since we began doing so in 1979. To put that figure in context, that represents an average of 7 incidents each day, and even so is almost certainly an underreporting.

Earlier this year, ADL issued its Top Line Findings of Antisemitic Attitudes in America. This survey of a nationally representative sample of more than 4,000 individuals found that 85% of Americans believe at least one anti-Jewish trope, and 20% of Americans believe six or more of the classic antisemitic tropes ADL has been using in surveys since 1964, which is significantly more than the 11% that ADL found in 2019 and is the highest level measured in decades.

The impact of antisemitism on the Jewish community cannot be overstated. American Jews are living in increased fear of violent attacks, of being targeted by conspiracy theories drawing on classic antisemitic tropes, and of being increasingly marginalized by those expressions of anti-Israel animus that can cross the line into antisemitism. Recent work by researchers at ADL and elsewhere have also tracked the significant relationship between antisemitism and political violence and threats to our democracy.

It is also admirable that several sections, divisions, and commissions within the ABA came together in support of this Resolution. As the largest association of lawyers and law students, the ABA's condemnation of antisemitism speaks volumes.

We applaud this effort, but are disappointed the ABA is not including in this resolution the International Holocaust Remembrance Alliance's (IHRA) Working Definition of Antisemitism, which can help educate on contemporary manifestations of antisemitism. As part of the multi-prong approach needed to fight antisemitism, ADL believes the [IHRA Working Definition of Antisemitism](#), including the eleven contemporary examples, can be instructive in helping to identify and understand the complex ways in which antisemitism can manifest today.

The IHRA Working Definition is a non-legally binding reference point, or tool, that can provide guidance to government, educational authorities and civil society institutions can use to illustrate, and thus help identify, contemporary examples of antisemitic expressions that not everyone may realize play on longstanding and deeply harmful anti-Jewish tropes or other forms of animus towards the Jewish religion or Jewish people. This is all the more important given the fact that antisemitism is both like and unlike other types of identity-based hate, and over centuries has consistently taken the form of a totalizing conspiracy theory, adaptable to a society's fears and anxieties, and their cynical weaponization, of the time. The IHRA Working Definition does not undermine free speech or prohibit criticism of Israel.

We know that Resolution 514 is only the first, albeit important, step to address antisemitism. We urge the ABA to consider additional steps including:

- Implementing antisemitism training into ABA workplace initiatives
- Encouraging ABA members to bring antisemitism training into their firms and workplaces
- Developing and offering Continuing Legal Education (CLE) on antisemitism
- Including antisemitism, including the IHRA Working Definition of Antisemitism, in ABA's Elimination of Bias and Enhancing Diversity programming

Thank you for being partners in the fight against antisemitism.



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