

Testimony Submission - Kansas House Bill 2299

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Bill Information

Bill Number: HB 2299

Position: Opponent

Date of Hearing: February 7, 2025

Written Testimony

Committee Members and Staff,

As a Jew and a life-long Kansan who cares about freedom of speech and the safety of my community, I wish to voice my opposition to HB 2299 which adopt the International Holocaust Remembrance Alliance's definition of antisemitism into state education policy and place the full weight of law enforcement behind it.

Not only does this bill's use of a widely discredited definition of antisemitism not help make my community safer, it would be potentially disastrous to the free speech of students, professors, and our friends and neighbors in Kansas's Palestinian community.

The controversial and widely discredited International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism dangerously conflates criticism of the Israeli state with antisemitism. By design, the IHRA definition's focus on branding criticism of Israel as antisemitic makes it a tool to silence Palestinians and shield the Israeli government from accountability. Use of the definition in academic and civic life suppresses and often seeks to criminalize efforts to hold the Israeli government accountable for human rights violations, and does not prevent attacks against Jewish people and Judaism.

It is because of these troubling free-speech implications that attempts to codify the definition into law have been strongly opposed by a broad cross-section of civil liberties

groups, Jewish and Palestinian human rights organizations, and major newspaper editorial boards. These include, but are not limited to: the ACLU, the National Lawyers Guild, the Center for Constitutional Rights, Palestine Legal, Jewish Voice for Peace, Bend the Arc: Jewish Action, J Street, The New York Times, The Los Angeles Times, and The Washington Post. The definition is also opposed by many Israeli human rights organizations. Moreover, even one of the authors of the IHRA definition [opposes its official adoption in academia](#).

Furthermore, it is simply a very bad definition of antisemitism. It fails to identify the true nature of antisemitism or its root causes in white supremacy.

For a modern “contemporary example”: Elon Musk’s recent use of the Nazi salute during President Trump’s inauguration does not meet the IHRA Definition’s example criteria to be considered an act of antisemitism. But, by contrast, a Jewish person who describes Israel’s policies against Palestinians as “apartheid” or racist would very much fit the definition for a contemporary example. These are not simply edge cases, these are very real ways that this definition flatly fails at providing a reasonable definition of antisemitism. Requiring schools to adopt this flawed definition and putting the full force of law behind it, as this bill would mandate, is *materially dangerous* to students, faculty, and members of both the Jewish and Palestinian community in Kansas.

Beyond these obvious failings, enshrining the IHRA definition into official law is flatly unnecessary and potentially unconstitutional. Existing anti-discrimination laws and policies already protect against antisemitism. The IHRA definition wrongly isolates antisemitism from other forms of oppression and ultimately weakens the fight against antisemitism and all forms of white nationalism and bigotry. Instead of embracing this dangerous definition, lawmakers should work to dismantle antisemitism by challenging political ideologies and oppressive structures and policies that foment and rely on racism, hate, and fear; by creating environments that celebrate all expressions of cultural and religious life; and by making undoing all forms of racism and bigotry both policy and daily practice.

I urge this committee to reject this bill as the dangerous attack on free speech that it is and to stand with the Jewish community by refusing to weaponize the very real bigotries we face against our Palestinian neighbors.

Thank you.

Signature

Sam Brian

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Date: 2/7/2025