



## Combating Antisemitism in the United States: From Legislative Frameworks to Political Approaches

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### **Abstract:**

*This article seeks to examine the efforts undertaken by the United States of America to combat antisemitism, framed as a response to the central question: What are the mechanisms adopted by the United States in its fight against antisemitism? The study primarily aims to deconstruct the federal organizational framework for combating antisemitism by elucidating its legal and institutional mechanisms.*

*The significance of this paper lies in providing a reference framework that highlights a fundamental challenge within the American approach – achieving a delicate balance between protecting religious groups from hate and discrimination, and safeguarding freedom of expression as a supreme constitutional value. This contributes to enriching the academic and political debate surrounding national strategies to combat hate.*

*The article concludes that, although the American system relies on an integrated network of mechanisms to address the growing challenge of antisemitism, it continually faces the dilemma of whether these mechanisms are sufficient to tackle the phenomenon without infringing upon the core value of free expression—a dilemma linked, among other reasons-, to the IHRA's Working Definition of Antisemitism adopted by U.S. lawmakers.*

**Keywords:** Antisemitism – United States of America – International Holocaust Remembrance Alliance (IHRA) – Working Definition of Antisemitism

## **Lutte contre l'antisémitisme aux États-Unis : des cadres législatifs aux approches politiques**

### **Résumé :**

*Cet article vise à examiner les efforts déployés par les États-Unis d'Amérique pour lutter contre l'antisémitisme, en réponse à la question centrale suivante : quels sont les mécanismes adoptés par les États-Unis dans leur lutte contre l'antisémitisme ? L'étude vise principalement à déconstruire le cadre organisationnel fédéral de lutte contre l'antisémitisme en élucidant ses mécanismes juridiques et institutionnels.*

*L'intérêt de cet article réside dans le fait qu'il fournit un cadre de référence qui met en évidence un défi fondamental dans l'approche américaine : trouver un équilibre délicat entre la protection des groupes religieux contre la haine et la discrimination, et la sauvegarde de la liberté d'expression en tant que valeur constitutionnelle suprême. Cela contribue à enrichir le débat académique et politique autour des stratégies nationales de lutte contre la haine.*

*L'article conclut que, bien que le système américain s'appuie sur un réseau intégré de mécanismes pour relever le défi croissant de l'antisémitisme, il est constamment confronté au dilemme de savoir si ces mécanismes sont suffisants pour lutter contre ce phénomène sans porter atteinte à la valeur fondamentale de la liberté d'expression, un dilemme lié, entre autres raisons, à la définition de travail de l'antisémitisme de l'IHRA adoptée par les législateurs américains.*

**Mots clés :** *Antisémitisme – États-Unis d'Amérique – Alliance internationale pour la mémoire de l'Holocauste (IHRA) – Définition de travail de l'antisémitisme*



## Introduction

Antisemitism is one of the oldest and most complex social and political phenomena in modern human history, shaped by intertwined religious, cultural, and political dimensions that have produced an evolving and multifaceted discourse. Although its roots trace back to medieval Europe, its transfer to the American context took on distinctive characteristics in both nature and mechanisms of response.

The United States, as a society composed of multiple ethnicities and religions, has embraced since its founding a discourse grounded in the values of liberty and equality. Nevertheless, it has not been immune to manifestations of discrimination and hate speech, including antisemitism, which has witnessed periods of resurgence and decline in accordance with broader political and social transformations.

The Jewish presence in the United States stands out from that in other parts of the world due to historical and cultural specificities that have made it a unique model of integration and influence. The Jewish community in America is not merely a religious minority but a dynamic and influential component of the state and society. It has succeeded in building powerful lobbying networks, think tanks, media outlets, and economic institutions with wide-reaching influence over policymaking and public affairs. Consequently, the fight against antisemitism has been elevated to a national priority, integrated within the country's security and human rights policies, rather than confined to a purely religious or social domain.

This distinction is largely attributable to the community's high level of organization and integration into the American political fabric, granting American Jews an unprecedented level of visibility and influence compared to Jewish communities elsewhere.

In recent years—particularly following the Gaza War—the United States has witnessed widespread protests across universities and public spaces, where hundreds of thousands of students and activists voiced their opposition to Israeli policies in the occupied Palestinian territories. These protests marked a turning point in the American debate on the concept of antisemitism. Some official bodies argued that such demonstrations contained antisemitic rhetoric, while others maintained that they fell within the scope of free expression and anti-Zionism rather than religious hatred.

This controversy sparked new debates over the effectiveness and neutrality of U.S. mechanisms for combating antisemitism, as well as whether these mechanisms are sometimes employed to restrict critical discourse directed at Israel or to shield its foreign policies from public scrutiny. Such debates raise fundamental questions about the very nature of the American approach to combating antisemitism.

Accordingly, the main research question can be formulated as follows:

**What are the mechanisms adopted by the United States of America in the context of combating antisemitism?**

From this central question stem several subsidiary questions, including:

- What is meant by antisemitism, and how has the concept evolved historically?



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- What constitutes the legal framework for combating antisemitism in the United States?
- What are the key features of the U.S. national strategy against antisemitism?
- What are the principal governmental and non-governmental institutions involved in combating antisemitism?

The objective of this article is to analyze the general framework of U.S. policies against antisemitism and to clarify their legal and institutional mechanisms, while also highlighting the role of Jewish organizations and civil society in shaping and implementing these policies.

The significance of this study lies in providing an in-depth understanding of the relationship between the legal-institutional dimension and the social-political dynamics that structure the American approach to combating antisemitism. It also contributes to explaining how the U.S. seeks to achieve a nuanced balance between protecting religious communities from hate and discrimination and preserving freedom of expression as a fundamental constitutional value.

Methodologically, the paper adopts a descriptive-analytical approach, relying on academic literature and official reports from U.S. institutions and human rights organizations to analyze their content and identify the general trends that define the American approach to antisemitism.

The study is structured around four main sections:

- The first section contextualizes the phenomenon of antisemitism conceptually.

- The second traces its development within the United States.
- The third examines U.S. laws and executive orders enacted to combat antisemitism.
- The fourth explores the U.S. National Strategy to Counter Antisemitism and the key governmental and non-governmental institutions involved in this framework.

### 1. Antisemitism: A Conceptual Approach

The term “Semitic” originally derives from the word “Shem,” one of the sons of Prophet Noah (peace be upon him). Semites are those descended from Shem, including Arabs, Jews, and others. This highlights the first misconception of limiting the Semitic identity solely to Jews. Abdelwahab El-Messiri discussed the inaccuracy of the term “antisemitism,” arguing that hostility in this context targets members of the Semitic race, of which Arabs constitute the overwhelming majority, even though some question whether Jews truly belong to it. In European languages, the term has historically linked Semites exclusively with Jews, creating a misconception that stemmed from nineteenth-century scholars’ lack of familiarity with Eastern civilizations and an incomplete understanding of Semitic cultural formations, as well as the diverse racial, ethnic, and linguistic affiliations of Jewish communities<sup>1</sup>.

Most literature indicates that the term “antisemitism” or “anti-Semitism” is a modern European expression associated

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<sup>1</sup> Bashir Hamo, **Antisemitism in Jewish Thought**, *Journal of Islamic Studies, Islamic University, Gaza, Palestine*, Vol. 30, No. 3, July 2022, pp. 202–204.



with the German writer Wilhelm Marr<sup>2</sup>. Marr introduced the term in 1879 during debates in Germany regarding the integration of various minorities, particularly the Jewish population, into German society<sup>3</sup>. At that time, the term referred specifically to hatred of Jews and systematic hostility towards them. This hostility gradually acquired a racial dimension after previously being primarily religious. Earlier, contempt for Jews was considered natural within Christian doctrine, as Jews had allegedly rejected Christ's teachings, accused him of deception, and persisted in practicing what was deemed a false religion.

Consequently, Jews were persecuted in various European countries. According to some historians, the worst phase of antisemitism occurred between 1905 and 1909 in Russia, where approximately five hundred Jews were killed. This was followed by Nazi Germany during the 1930s and 1940s, where Jews were considered an inferior race compared to the superior Aryan race and were blamed for all of

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<sup>2</sup> Abraham Melster points out that it is not entirely correct to attribute the term "antisemitism" to the German journalist Wilhelm Marr. The term was first mentioned in 1865 in the *Rottek-Welckeschen Staatslexikon*. Nevertheless, Wilhelm Marr described Jews in his book *The Victory of Judaism over Germanism* (1879) as "Eastern strangers" belonging to the "Semitic race," and he compared them to "parasites." He also founded the "Antisemiten-Liga" (League of Antisemites) and, in 1880, drafted the "Antisemitism Petition," in which he called on the then Chancellor of the Reich, Otto von Bismarck, to repeal the legal equality law concerning Jewish citizens in the German Reich. Since then, the term "antisemitism" has generally referred to the stance of the petition's signatories and Marr's followers. See: Abraham Melster, *Manufacturing Antisemitism or the Prohibition of Criticizing Israel*, translated by Somaya Khidr, 1st ed., Arab Center for Research and Policy Studies, Qatar, 2022, p. 40.

<sup>3</sup> Waleed Abdel-Hay, *The Israeli Strategy of Exploiting Antisemitism*, Al-Zaytouna Center for Future Studies and Foresight, October 2021, p. 2.

Germany's historical misfortunes. They were deprived of numerous rights, and this culminated in Adolf Hitler's order for their extermination, resulting in the deaths of over six million people according to historical accounts. Antisemitism continued to persist in Eastern Europe and the Soviet Union<sup>4</sup>.

Kenneth S. Stern, Attorney, argues that defining antisemitism may seem like a straightforward task at first glance if we start from a simplistic understanding of it as hatred of Jews. Most people might consider overt acts of violence, discrimination, and persecution against Jews or Jewish institutions as clearly antisemitic. However, the reality indicates that determining what constitutes antisemitism is an increasingly difficult and complex task in today's polarized society. Many gray areas have emerged in contemporary discussions, and in the absence of a clear consensus on what constitutes antisemitism, the ambiguity of the concept poses a genuine challenge to combating antisemitism as a phenomenon. Therefore, examining how discriminatory ideologies against Jews have evolved over time is vital for understanding the nuances involved in such a phenomenon, especially when definitions are insufficient to fully capture these complexities in a meaningful way<sup>5</sup>.

The lack of consensus regarding the definition of antisemitism not only presents a challenge to combating it within the context of trends that criminalize racism, discrimination, and hate speech to provide legal protection

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<sup>4</sup> Maryam Meziane, Abdelmalek Ayadi, **The Reality of Antisemitism in the Philosophy of "Friedrich Nietzsche,"** Journal of Studies, Tahri Mohamed University, Bechar, Vol. 15, No. 2, 2024, pp. 200–201.

<sup>5</sup> Kenneth S. Stern Attorney, **Defining Antisemitism in a Global Context** ,Task Force Report: Winter 2022, University of Washington Henry M. Jackson School of International Studies Seattle, Washington , p.14



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for these groups like any other, but it also raises other issues related to the potential expansion of any definition to include acts beyond mere hatred of Jews. This occurred, for instance, after the Second Intifada in 2000, when Israel's harsh repression of Palestinians significantly damaged its global image and drew severe criticism at the United Nations World Conference Against Racism in South Africa in 2001 (Durban Conference). In 2003, the Organization for Security and Cooperation in Europe (OSCE) organized a conference in Vienna, where participants called for the first time to establish mechanisms to address the rapidly deteriorating situation due to the rise of anti-Zionism in Western Europe, particularly amid concerns that it could escalate into violence against European state institutions. This situation was further complicated by the absence of an adequate definition of antisemitism.

To address this, the **European Monitoring Center on Racism and Xenophobia** undertook this task, and in 2005, the Center developed a definition known as the **“Working Definition of Antisemitism by the European Monitoring Center on Racism and Xenophobia.”** This definition marked a decisive turning point in the history of antisemitism over more than a thousand years, noting that previous definitions (from 1879–2005) were largely individual and subjective efforts by scholars and thinkers, often commissioned by institutions producing encyclopedias or other references, and were mostly academic and theoretical in nature.

In 2016, the International Holocaust Remembrance Alliance (IHRA) officially adopted the “Working Definition of Antisemitism,” a slightly modified version of the original

document by the European Committee on Antisemitism<sup>6</sup>. It defined antisemitism as: *“a certain perception of Jews, which may be expressed as hatred toward Jews. Manifestations of antisemitism might target Jewish or non-Jewish individuals and/or their property, as well as community institutions and religious and Jewish establishments.”*<sup>7</sup>

The Working Definition of Antisemitism proposes a redefinition of antisemitism and forms the basis for institutional responses to this definition<sup>8</sup>. However, like other IHRA decisions, it is not legally binding and is not a perfect definition. In addition to the ambiguity of the phrase “a certain perception of Jews,” its general wording is highly confusing. Moreover, the definition does not cover expressions of feelings other than hatred, such as contempt or a sense of superiority, nor does it include cultural expressions of antisemitism or actions—such as discriminatory acts—that are not usually considered rhetorical or physical manifestations.<sup>9</sup>

It should be noted in the same context that the Working Definition first emerged in the early 2000s, partly as a response to what is known as “new antisemitism,” which

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<sup>6</sup> Khaldoun Al-Barghouthi, **The Working Definition of Antisemitism: Silencing Critics of Israel**, Journal of Israeli Affairs, Madaar – Palestinian Center for Israeli Studies, Palestine, No. 78, 2020, p. 16.

<sup>7</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO), **Addressing Antisemitism through Education: Guidelines for Policymakers**, UNESCO and Organization for Security and Cooperation in Europe, 2019, p. 17.

<sup>8</sup> Rebecca Gold, **The International Holocaust Remembrance Alliance (IHRA) Definition of Antisemitism: Defining Antisemitism through the Erasure of Palestinians**, translated by Mona Abu Bakr, Journal of Israeli Affairs, Madaar – Palestinian Center for Israeli Studies, No. 78, 2020, p. 39.

<sup>9</sup> Frederick P. Schaffer, **Title VI, Anti-semetism, and The Problem of Compliance**, Journal of College and University Law, Vol. 46, No. 1, 2021, p.76.



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gained momentum for the first time in the 1960s and 1970s. This form of antisemitism<sup>10</sup> replaced the classical antisemitism traditionally associated with the concept of biological race and prejudice against Jews and the far right, with a new understanding expressed as “hostility toward Israel” and “insensitivity and indifference to Jewish concerns.”

The focus of this new antisemitic trend also shifted from the far right to Arab states, as well as to pro-Arab elements and extreme leftist movements in Europe and Latin America. New antisemitism has been subject to intensive academic debate, especially following the noticeable increase in antisemitic incidents, raising questions about the conceptualization of the phenomenon and its subsequent translation into political realities, legal measures, and policy tools<sup>11</sup>.

## **2. Antisemitism in the United States of America: A Historical Approach**

Research and studies have traditionally focused on antisemitic incidents almost exclusively in Europe, a natural focus given the continent’s history of the Holocaust, rising immigration concerns, and the intensity of contemporary antisemitic attitudes measured across Europe. However, statistics indicate the existence of antisemitic hate crimes

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<sup>10</sup> Rebecca Gold, **Op.Cit**, p.40

<sup>11</sup> Esther Romeyn , **(Anti) ‘New Antisemitism’ as a Transnational Field of Racial Governance, Patterns of Prejudice**, 54 (1-2)2022, pp.1-2

targeting American Jews<sup>12</sup>, albeit varying across different time periods<sup>13</sup>.

Antisemitism in America did not arise in a vacuum but within a context of racial dominance that subjugated and discriminated against African Americans and other minorities. The history of Jews in America is a history of ongoing negotiations between hard-won legal freedoms and the residual social effects of racial and religious bias, which have persisted and occasionally flared up in the country<sup>14</sup>.

The situation differs, however, for American Jews, according to most literature, which suggests that their historical experience was largely distinct from that of their contemporary European counterparts, not to mention Jews from the Maghreb and the Levant, who obtained equality without major struggle, enjoying full rights from the early days of the Republic. This underscores the concept of **American Jewish Exceptionalism**. Since the drafting of the federal Constitution in 1789, the United States began implementing the principle of equality before the law (at least for all white males), and Jews were not required to prove their merit or entitlement to this principle. This

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<sup>12</sup> In the United States, Jews tend to belong to three religious traditions or denominations: Orthodox, Reform, and Conservative. Orthodox Judaism (10%) has the fewest followers, Reform is the most common (35%), and Conservative falls in between the two (18%). **See:** David R. Hodge, Stephanie Clintonia Boddie, **Anti-Semitism in the United States: An Overview and Strategies to Create a More Socially Just Society**, Social Work, 2021, p.129.

<sup>13</sup> Ayal Feinberg, **Explaining Ethnoreligious Minority Targeting: Variation in U.S. Anti-Semitic Incidents**, Perspectives on Politics Vol.18, Issue 3, September 2020, pp.2-3.

<sup>14</sup> **Antisemitism in American History**

<https://antisemitism.adl.org/antisemitism-in-american-history/>

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perspective relies on the assumption that American history is entirely different from European history.

Meanwhile, others point out that many state laws had violated or substantially limited Jewish equality well into the nineteenth century. These scholars base their arguments on the assumption that religious discrimination in America was a remnant of its European past—a transient phenomenon belonging to the colonial era that was gradually eliminated through the growing liberties and equality in America<sup>15</sup>.

In the same context, although the founders of America envisioned a country free from religious persecution, guaranteed by the religious freedoms promised in the Bill of Rights upon its ratification in 1791, state rights often superseded this vision of religious liberty. Restrictions were imposed on religious minorities, including Jews, from the very moment they arrived in America, with Jews being openly denied the right to worship unless they converted to Christianity. However, the financial advantages of Jewish commercial networks helped establish the first Jewish synagogues, and Judaism was quietly tolerated. Yet, despite their early success in the Americas, Jews continued to live as outsiders, religiously governed by Christians<sup>16</sup>.

It is noted that intense antisemitism emerged strongly in the 1890s in America within three relatively marginal contexts: among aristocratic intellectuals, among the urban lower classes, and within certain segments of the agrarian

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<sup>15</sup> David Sorkin, **Is American Jewry Exceptional?: Comparing Jewish Emancipation in Europe and America**, *American Jewish History*, Vol. 96, No. 3, September 2010, pp.175-177.

<sup>16</sup> **History of Anti-Semitism in America: Collections**  
<https://www.gale.com/primary-sources/political-extremism-andradicalism/collections/history-of-anti-semitism> 12/04/2025(18:05)

protest movement. However, antisemitism was largely kept out of public discourse, as cultural homogeneity was generally assumed, though this does not imply that it was absent.

Despite the covert presence of antisemitism in American life, Jewish communities continued to expand domestically. Between 1881 and 1914, two million Jews entered the country, fleeing poverty and massacres in Europe. Upon arrival, they were often met with fear and resentment due to their behaviors, customs, lifestyle, and tangible successes as they advanced both personally and professionally. During periods of economic downturn, conspiracy theories emerged concerning the financial markets and government manipulation by Jews, who were believed to be corrupt international financiers. These tensions continued to grow, resulting in overt manifestations of American antisemitism, especially alongside rising Aryan supremacy rhetoric.

In the 1930s, attacks intensified, with neo-Nazis being allowed to broadcast hate openly over radio waves, thereby justifying and encouraging physical assaults against Jewish citizens both in the United States and abroad. During Hitler's rule, America also maintained highly restrictive immigration laws, rejecting hundreds of immigrants daily. However, after World War II, the awareness of America's victory over the Nazis, along with the atrocities of the Holocaust, was unsettling enough to cause a notable decline in antisemitism in the United States, with criticism of Jews dropping from 64% to 16% by 1951. Judaism became recognized as a prominent religion in public discourse, a trend that continued through the 1970s, as restrictions eased



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and antisemitism gradually diminished according to some assessments<sup>17</sup>.

However, despite the prevailing assumption that antisemitism has significantly declined since the 1970s, numerous attacks against Jews have been recorded, especially since 2021. Anti-Israel anger over the latest violent clashes in the Middle East has transformed into aggression against Jews in the United States. Conflicts between Israel and Gaza have thus unleashed antisemitic violence domestically. The Middle East policies, however, are not the sole cause of antisemitic harassment and attacks during this period; rather, they act as a catalyst for trends that were already increasing, albeit less visibly than before. In this context, scholars note the role of the rise of right-wing populism in the United States in reinforcing this trend<sup>18</sup>, particularly after Donald Trump assumed the presidency<sup>19</sup>.

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<sup>17</sup> History of Anti-Semitism in America: Collections, **Op.Cit**

<sup>18</sup> The United States witnessed an increase in antisemitic rhetoric following Donald Trump's assumption of the presidency, signaling a revival of extremist sentiments among the far right. Swastika flags, Nazi slogans, and antisemitic chants appeared in city streets and halls across the country, including the capital, Washington, D.C., and a university town closely associated with one of the most revered symbols of American democracy, Thomas Jefferson. According to some observers, a contributing factor to this situation was the rise of the alt-right movement, whose antisemitic activity mostly took place online rather than in public spaces. Many members of this movement advocate for the end of the United States, which they perceive as a Zionist-occupied government, or for the creation of a racially pure white state from what they no longer consider their country. Some members of this diverse group of right-wing activists viewed Donald Trump's rise to power with approval, seeing in him a figure akin to Adolf Hitler. Trump's policies and statements have sparked widespread debate regarding the extent of his responsibility for increasing racial, religious, and ethnic tensions in the United States. **See:**

Statistics indicate that antisemitic incidents in the United States rose for the fourth consecutive year in 2024, reaching a total of 9,354 incidents—the highest level ever recorded in the 45-year history of Anti-Defamation League (ADL) monitoring. This increase, estimated at 5% compared to 8,873 documented incidents in 2023, demonstrates that the rise in antisemitism has become a persistent reality for American Jewish communities since the Hamas attack on October 7, 2023, rather than a temporary spike. These incidents occurred across all fifty states and the District of Columbia, with universities being the site of most attacks targeting Jewish students and faculty, reflecting how antisemitism constitutes a national challenge<sup>20</sup>.

### **3. The Legal Framework for Combating Anti-Semitism in the United States of America**

The legal frameworks in the United States constitute the foundation upon which efforts to combat anti-Semitism are based. These frameworks have been organized through legislation aimed at criminalizing hate-motivated actions and providing protection to the Jewish community against any violations, as detailed below:

#### **3.1. The Constitutional Framework for Combating Anti-Semitism:**

Since the earliest days of independence, America's founders envisioned the United States as a land of religious

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Alvin H. Rosenfeld, **Antisemitism in Today's America**, In: Armin Lange et(al.) (eds), **Confronting Antisemitism through the Ages: A Historical Perspective**, De Gruyter Publications, Berlin/Boston, 2021, p.78-80.

<sup>19</sup> Klara Stephanie Szlezák, **Op.Cit**, p.41.

<sup>20</sup> The Large Communities ' Task Force Against Antisemitism, Annual Report On Antisemitism, 2025, p.27



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tolerance. Article IV of the U.S. Constitution promised that religious tests would not be used in elections for any American office. Furthermore, President Washington expressed his warm welcome to American Jews in a letter to the Hebrew congregations in Newport in 1790, promising that the United States “gives to bigotry no sanction, to persecution no assistance.”

In 1791, the **American Bill of Rights** was approved. The First Amendment to the Constitution prohibited the government from impeding the freedom of religion or enacting any law respecting an establishment of religion. However, individual states retained the right to impose restrictions on the rights of religious minorities, and some did so for decades against Jews, Catholics, and atheists.<sup>21</sup>

### **3.2. Title VI of the U.S. Civil Rights Act:**

**Title VI** of the Civil Rights Act of 1964 stipulates that no individual shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin. This applies to virtually all public and private colleges and universities, among other programs and activities. In September 2023, the White House announced that eight federal agencies would actively utilize Title VI of the Civil Rights Act as a tool to combat anti-Semitism. These eight departments include the Departments of Agriculture; Health and Human Services;

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<sup>21</sup> Antisemitism in American History, **Op.Cit**

## Homeland Security; and Housing and Urban Development .22

This Title was originally designed to combat discrimination against African Americans, seeking to cover all aspects of their protection by its tripartite focus on discrimination based on race, color, or national origin, as previously noted<sup>23</sup>. Unlike **Title VII**, which prohibits certain forms of employment discrimination, Title VI does not prohibit discrimination based on religion. Consequently, the Department of Education's Office for Civil Rights (OCR) lacks the authority to investigate and penalize incidents of religious discrimination in educational institutions.

The question of whether Title VI applies to anti-Semitism revolves around a perplexing issue: whether Jews are a group defined solely by religion, or whether they also constitute a group defined by race or national origin<sup>24</sup>. We note here that Title VI reasonably encompasses being Jewish in the sense of possessing (or being perceived as possessing) an immutable, inherited characteristic—whether that characteristic is viewed as "race" or "national origin." Between the two, race seems more pertinent, especially since national origin is generally understood to refer to the country where an individual was born, or, more broadly, the country from which their ancestors originated.<sup>25</sup>

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<sup>22</sup> **Guide To Federal Statutes that Protect Jews Discrimination**  
<https://www.ajc.org/guide-to-federal-statutes-that-protect-jews-from-discrimination> 22/04/2025(22:40)

<sup>23</sup> Ruth R. Wisse, **The Functions of Anti-Semitism**, National Affairs , Fall 2017, p.91.

<sup>24</sup> Frederick P. Schaffer, **Op.Cit.**, p.76

<sup>25</sup> Benjamin Eidelson, Deborah Hellman, **Antisemitism, Anti-zionism, and Title VI: A Guide For The Perplexed**, Harvard Law Review Forum, Vol. 139:1, 2025, p.3



### 3.3. Global Antisemitism Review Act of 2004:

The Global Antisemitism Review Act of 2004 is a U.S. legislation aimed at institutionalizing efforts to combat antisemitism globally through government diplomacy and increased transparency in reporting. The Act establishes three main pillars. First, it expresses Congress's recognition of the necessity to continue supporting the fight against antisemitism worldwide, particularly in cooperation with international organizations. Second, it mandates the Secretary of State to report annually and in detail on acts of violence, harassment, and vandalism against Jews and their institutions, as well as government responses to such incidents, and to document any government or non-governmental media content promoting violence. Finally, the Act authorizes the creation of an Office to Monitor and Combat Antisemitism within the Department of State, headed by a Special Envoy, to coordinate and continuously follow up on this issue.<sup>26</sup>

### 3.4. Antisemitism Awareness Act:\*

The U.S. Senate passed the *Antisemitism Awareness Act* on December 1, 2016, which serves as an extension of Title VI of the Civil Rights Act of 1964. Long before the passage of the American Civil Rights Act, the Departments of Justice and Education had expanded the interpretation of the original Civil Rights Act to prohibit "discrimination against Jews, Muslims, Sikhs, and members of other religious groups when such discrimination is based on actual or perceived

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<sup>26</sup> S.2292 - **Global Anti-Semitism Review Act of 2004**  
<https://www.congress.gov/bill/108th-congress/senate-bill/2292>  
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shared ancestry or common ethnic characteristics of the group." Under this interpretation, the Office for Civil Rights within the Department of Education duly investigated hundreds of claims of harassment, threats, and intimidation against Jewish students on college campuses. Nevertheless, the Office for Civil Rights failed to identify any violations against Jews, as antisemitism did not comfortably fit within the original legislative framework of the Civil Rights Act. Consequently, the *Antisemitism Awareness Act* was enacted to enhance the powers of the Office for Civil Rights in protecting Jewish students. However, upon its passage, protests erupted against perceived restrictions on freedom of expression, including opposition from university administrations that had witnessed some of the worst harassment of Jewish students.<sup>27</sup>

### **3.5. Provisions for Combating Antisemitism under the Federal Hate Crimes Law (2009):**

Commonly known as the *Shepard-Byrd Hate Crimes Prevention Act*, this legislation represents the most significant expansion of the federal criminal code in the area of hate crimes. The law aims to provide funding and technical assistance to local authorities to support more effective investigation and prosecution of hate crimes. It criminalizes acts of violence—or attempts thereof—motivated by actual or perceived bias against two categories of victims: the first includes race, color, religion, or national origin, and the

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<sup>27</sup> Ruth R. Wisse, *Op.Cit.*, p.91-92.



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second includes gender, disability, sexual orientation, or identity.<sup>28</sup>

### **3.6. Executive Orders:**

President Trump signed Executive Order No. 14188 on January 29, 2025, considered as "additional measures to combat antisemitism," thereby declaring a policy to utilize all available and appropriate legal tools to prosecute, remove, or otherwise hold accountable individuals committing unlawful antisemitic harassment and violence. This order reaffirms Executive Order No. 13899, issued by Donald Trump in 2019, which addressed combating antisemitism and directed all federal agencies to address entrenched antisemitic discrimination with the same rigor applied to other forms of discrimination under Title VI of the Civil Rights Act of 1964.

The new order adds a requirement obliging federal agencies to review their current criminal and civil authorities to combat antisemitism and report on them. It also calls upon the Secretaries of State, Education, and Homeland Security to monitor and report on the activities of non-U.S. students and faculty members concerning the activities outlined in the order, threatening deportation as a potential consequence. This provision conflicts with the freedoms of speech and assembly guaranteed under the First Amendment of the U.S. Constitution, which applies to all

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<sup>28</sup> US Department of Justice, **The Matthew Shepard And James Byrd, Jr., Hate Crimes Prevention Act Of 2009**

<https://www.justice.gov/crt/matthew-shepard-and-james-byrd-jr-hate-crimes-prevention-act-2009-0> 22/05/2025(17:22)

residents of the United States, not only citizens.<sup>29</sup> Following the issuance of the executive order, several federal agencies undertook a variety of serious measures to implement it, focusing on the conduct of various colleges and universities, as well as the students and faculty members affiliated with these institutions.<sup>30</sup>

#### **4. Combating Antisemitism in the United States at the Policy and Institutional Level:**

Combating antisemitism in the United States constitutes a comprehensive approach that goes beyond mere legislation. It encompasses the establishment of national policies and strategies, alongside specialized institutional frameworks to ensure internal monitoring of the phenomenon and coordination of diplomatic efforts to address it globally. Among the most prominent of these is the Office of the Special Envoy within the Department of State, not to mention the role of non-governmental organizations in this context.

##### **4.1. The U.S. Strategy to Counter Antisemitism:**

The Biden administration issued the first-ever U.S. National Strategy to Counter Antisemitism on May 25, 2023. The strategy aims to enhance and expand school-based education on antisemitism, the Holocaust, and American Jewish heritage. The document notes that twenty-four states

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<sup>29</sup> **Trump's Executive Order on Antisemitism — Explained**  
<https://www.splcenter.org/resources/guides/trump-executive-action-antisemitism-faq/> 05/06/2025(13 :25)

<sup>30</sup> Baruch Weiss et.al , **Executive Order 14188 and Antisemitism: What's Next for Colleges and Universities?**, March 25, 2025  
<https://www.arnoldporter.com/en/perspectives/advisories/2025/03/eo-14188-additional-measures-to-combat-anti-semitism> 22/05/2025(9:13)



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have educational mandates regarding the Holocaust, and that most states include Holocaust education as part of their educational standards<sup>31</sup>.

However, following the war in Gaza in 2023, the changed geopolitical conditions since the issuance of the national strategy, the intensity of anti-war protests by youth, and the election of Donald Trump as president—all these factors naturally raise questions about the continued relevance of the national strategy approach. <sup>32</sup>Nevertheless, the Trump administration later emphasized the importance of adhering to the overarching objectives of this strategy<sup>33</sup>.

national strategy, the intensity of anti-war protests by youth, and the election of Donald Trump as president—all these factors naturally raise questions about the continued relevance of the national strategy approach. Nevertheless, the Trump administration later emphasized the importance of adhering to the overarching objectives of this strategy.

Throughout 2023, the Biden administration continued to reinforce the U.S. National Strategy to Counter Antisemitism by implementing more than one hundred policies and measures across the federal government to raise awareness, enhance safety and security, curb antisemitic approaches, and foster solidarity among communities.

Additionally, the White House and Congress took steps to significantly increase funding for the Security Grant Program for non-profit organizations to over \$600 million. This program serves as a cornerstone of the United States'

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<sup>31</sup> Lili Levi, Lessons for the Trump Administration from the Biden U.S. National Strategy to Counter Antisemitism, FIU Law Review, Vol.19, 2025,p. 596.

<sup>32</sup> Ibid, p.801

<sup>33</sup> Ibid, p.789

defense against threats targeting vulnerable institutions, including Jewish day schools, synagogues, and community centers.

Amid rising antisemitic incidents – particularly regarding campus protests – Congress held high-level hearings to hold universities accountable and began examining the tax-exempt status of organizations allegedly linked to extremist groups. The U.S. Department of Education also launched an antisemitism awareness campaign and took steps to strengthen the enforcement of Title VI protections for Jewish students.

Since the new Trump administration assumed office, measures were taken to combat antisemitism, including executive orders, the establishment of an inter-agency task force to address antisemitism, and a focus on confronting antisemitism in universities. According to the annual report issued by the Large Communities Task Force to Counter Antisemitism, although these measures represent a positive step, there remains a need to monitor their effectiveness and ensure that their implementation does not violate due process<sup>34</sup>.

#### **4.2. Special Envoy for Monitoring and Combating Antisemitism:**

This is an official body under the U.S. Department of State, established pursuant to the Shepard-Byrd Hate Crimes Prevention Act, as previously mentioned. The Special Envoy for Monitoring and Combating Antisemitism acts on behalf of the Secretary of State to implement policies and initiatives to counter antisemitism. The envoy works closely with

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<sup>34</sup> The Large Communities ' Task Force Against Antisemitism, **Op.Cit**, p.28.



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foreign governments, international organizations, and civil society, coordinating and assisting in the preparation of reports on antisemitism, which are included in the State Department's annual Human Rights Reports and International Religious Freedom Reports. The envoy also works to enhance the safety and security of at-risk Jewish communities, assist resettled Jews who have faced physical threats, and actively promote the adoption of the practical definition of antisemitism by EU institutions, multilateral organizations, governments, local law enforcement agencies, and judicial offices<sup>35</sup>.

#### **4.3. Role of Jewish Organizations in Combating Antisemitism in the United States:**

The United States hosts strong advocacy organizations that respond rapidly to antisemitic acts and statements, including the Anti-Defamation League, the American Jewish Committee, the American Jewish Congress, and the Jewish Federations of North America (JFNA) <sup>36</sup>. The latter has actively advocated for the United States' adoption of the practical definition of antisemitism developed by the International Holocaust Remembrance Alliance (IHRA) and emphasized the importance of its continued application within the federal government to enable the assessment of

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<sup>35</sup> Anti Defamation League ,**The U.S. Special Envoy to Monitor and Combat Antisemitism** <https://humanrightsfirst.org/wp-content/uploads/2022/10/SEAS-Factsheet.pdf> 17/05/2025(13:30)

<sup>36</sup> Leonard Dinnerstein, **Is there a New Anti-semitism in the United States?**, Society New York Vol. 41, N° 2, Jan 2004, p.53.

harassment patterns or hostile environments faced by Jews as part of reviewing potential discrimination<sup>37</sup>.

The Anti-Defamation League monitors extremist activities and manages educational programs on antisemitism for a diverse range of audiences. It works alongside various organizations within a coordinated effort to combat antisemitism, most notably the Anti-Defamation League (ADL), established to oppose antisemitism and all forms of hatred, and the Secure Community Network (SCN), founded by the Jewish Federations, which serves as the Jewish community's security arm and coordinates with federal law enforcement agencies. SCN actively collaborates with the Department of Homeland Security, the Federal Bureau of Investigation, and local law enforcement authorities.

In 2010, the Jewish Federations of North America established the Action Network for Israel, an organization whose sole purpose is to identify and address incidents of antisemitism and anti-Israel activity. The network works with local federations and partner organizations to take appropriate measures and exchange best practices across the United States. Typically, the Jewish Federations coordinate local efforts to combat antisemitism, often supported by the Action Network for Israel and the regional offices of the Anti-Defamation League.<sup>38</sup>

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<sup>37</sup> Mari Cohen, **Jewish Federations Urge Biden to Promote Controversial Definition of Antisemitism**  
<https://jewishcurrents.org/jewish-federations-urge-biden-to-promote-controversial-definition-of-antisemitism> 20/05/2025(16:32)

<sup>38</sup> Stephanie Hausner, Rebecca Caspi, **Antisemitism: New Approaches to Fighting an Old Battle**, Special Publication, July 4, 2021, p.5



## **Conclusion :**

This article demonstrates that the United States' efforts to combat antisemitism are organized across multiple levels, including legal frameworks, national policies, and institutional mechanisms. The U.S. has sought to establish an integrated network of legislation and executive orders, most notably by implementing Title VI of the Civil Rights Act of 1964 to include protection against discrimination based on antisemitism when such discrimination is grounded in an actual or perceived common ancestry or shared ethnic characteristics. The U.S. also issued its first-ever National Strategy to Counter Antisemitism in 2023 and established the Office of the Special Envoy to Monitor and Combat Antisemitism within the Department of State.

However, despite these comprehensive mechanisms, the American system faces a fundamental challenge: achieving a delicate balance between protecting religious groups from hatred and discrimination while upholding freedom of expression as a paramount constitutional value. This dilemma is further complicated by ongoing debates regarding the "Working Definition of Antisemitism" adopted from the International Holocaust Remembrance Alliance (IHRA), which is criticized for its ambiguity and broadly framed language. The definition does not encompass expressions of feelings other than hatred, such as disdain or a sense of superiority. Therefore, establishing a definition that addresses IHRA's shortcomings is crucial to rigorously distinguish between hatred of Jews and legitimate political criticism or anti-Zionism, thereby safeguarding freedom of expression and legitimate critique.

Additionally, it is recommended to intensify training within educational institutions and civil rights offices on applying laws in ways that do not conflict with the First Amendment of the U.S. Constitution. Clear and standardized criteria should also be established for collecting data and reporting incidents of antisemitism to enhance transparency and accountability. Such a comprehensive approach alone can strengthen the United States' capacity to effectively and credibly confront the rising challenge of antisemitism without compromising the value of freedom of expression.

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