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I am submitting this testimony in opposition to the Maine Joint Standing Committee's proposed adoption of the IHRA definition of anti-semitism. This definition considers criticism of Israel to be antisemitic by definition. It has been widely criticized by scholars, human rights activists, and many international human rights organizations.

Under the First Amendment, as an American citizen, I have a constitutional right to criticize any government for any reason. I am free to criticize my own country, the United States. Yet, according to the IHRA definition, I am a racist if I criticize Israel.

There are many reasons to criticize Israel. Some of them may be bad, or at least a subject for debate. But Israel's actions have been questioned by many leading human rights organizations, including Human Rights Watch, Amnesty International, the ACLU, and even B'Tselem, an Israeli organization. It is not a fringe position to criticize Israel's actions, either historically or in the present moment. Indeed, most Israeli historians accept the same basic facts of Israel's founding, as a matter of historical record—for example, that the country was founded by Jewish European settlers who were planning the establishment of the country long before World War II and the Holocaust. The Committee should recognize that the adoption of the IHRA definition of antisemitism would encourage the censorship of basic facts about Israel's actions, both in the past and the present, by labeling these facts as “racist tropes.”

But the real reason to oppose the IHRA definition of antisemitism is one of principle. This definition is meant to silence criticism of a foreign government. It has been adopted by various institutions largely as a result of corruption—of the infusion of money into our political system. Many Americans recognize this already, and more are recognizing it every day. Many Mainers are tired of being lectured about the importance of Israel, and tired of their tax dollars going to a country that clearly violates international law on a routine basis, especially when these funds are needed at home.

Defendants of free speech oppose the IHRA definition of antisemitism on the basis of the First Amendment, which this definition clearly violates. But in writing this letter, I am not appealing to my constitutional rights as an American citizen. I am appealing to my human right of free speech, a right that goes well beyond my American passport. I have every right to speak my mind freely, to share ideas, and to question and criticize any policy or institution or country that deserves questioning. This is not only a First Amendment right, it is a basic human right.