

Jonathan Falk  
Carmel, ME  
LD 1351

Dear members of the Judiciary Committee,

I am writing to urge you to vote ought-not-to-pass on LD 1351, “An Act to Require Antisemitism to Be Considered as Motivation When Determining a Violation of a Criminal or Civil Law.

I am a Jewish long-time resident of Carmel and am active in my congregation and my Jewish community. I believe that antisemitism is real and very dangerous, and we should all educate ourselves to recognize it, and fight it just as we fight racism, Islamophobia, and other forms of discrimination. But I think that LD 1351 will not address this problem, and has the potential to make the problem worse.

First, it is inappropriate to use the International Holocaust Remembrance Alliance definition of antisemitism in the way that LD 1351 does. The IHRA definition was not written as a legal definition, but rather was intended to be a working definition to help people understand the different forms that antisemitism can take. As such, it does not have the degree of clarity and precision required in our laws. In fact, the IHRA itself described the definition as a “non-legally binding working definition of antisemitism.” Also, this definition is one of a number of different definitions of antisemitism and is not universally accepted.

Second, I do not believe that Maine needs such a law, even if the law were better-crafted. Maine already has strong legal protections against discrimination and hate crimes. See for example the “What is Maine’s Law on Hate Crimes” page in the Legislature’s web site

(<https://www.legislature.maine.gov/lawlibrary/what-is-maines-law-on-hate-crimes/9469>) Maine already has the laws it needs to protect Jewish Mainers, along with other Mainers, from discrimination and attacks.

Finally, I and many other Jews believe that measures like LD 1351, which say they are about protecting Jews, can actually endanger us. One of the most powerful long-standing antisemitic beliefs is that Jews are disproportionately powerful, and we secretly control things behind the scenes. Congresswoman Marjorie Taylor Greene's statement a few years ago that California wildfires were caused by “Jewish space lasers” is only one example of this kind of belief. To Jewish person like me, hearing a member of Congress say this was terrifying, not amusing. Having a “special” bill about antisemitism only feeds into this antisemitic belief which has for many centuries led to violence against Jews.

For all these reasons I think that LD 1351 will hurt, not help the fight against antisemitism. Thank you for your consideration of this testimony.

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