

Report to University Senate via Faculty Council

Committee on Academic Freedom and Responsibility

The Ohio State University

31 August 2026

This report concerns the definition of “antisemitism” adopted by our university since circa 14 April 2022, when Governor DeWine issued an Executive Order<sup>1</sup> endorsing the adoption of a definition of “antisemitism” by all state agencies, departments, boards, and commissions, including public colleges and universities. The Governor referenced the International Holocaust Remembrance Alliance (IHRA)<sup>2</sup> definition, which states:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.<sup>3</sup>

The IHRA definition of “antisemitism” is supplemented by a series of “illustrations” and “examples,” including statements concerning criticisms of the Government of Israel, such as:

- “Manifestations [of antisemitism] might include the targeting of the State of Israel, conceived as a Jewish collectivity.”
- “[E]xamples of antisemitism ... include... [d]enying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.”<sup>4</sup>

The IHRA definition of antisemitism therefore includes statements that would reasonably be considered to indicate that criticisms of a specific political entity, the State of Israel, constitute antisemitism by definition.

The adoption of one official definition by the University of a term with political content — ostensibly at the behest of the Governor’s office — raises questions about academic freedom.

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<sup>1</sup> Executive Order 2022-06D0: <https://governor.ohio.gov/media/executive-orders/executive-order-2022-06d> CAFR notes that Governor DeWine’s Executive Order orders “all public colleges and universities to adopt the above-referenced IHRA definition of antisemitism *or an appropriate alternative definition*” (our italics). By our reading, therefore, EO 2022-06D0 does not require that Ohio State adopt the IHRA definition; an “appropriate alternative definition” would suffice.

<sup>2</sup> Precisely when and how the University adopted the IHRA definition remains unclear. Speaking before the University Senate in May 2022, President Johnson thanked Governor DeWine for his leadership on “the definition of antisemitism”; since her statement came shortly after Executive Order 2022-06D0, implying that the University had adopted the IHRA definition. Yet subsequent communications to President Johnson’s office by faculty Senators and the President of AAUP-OSU to ascertain the University policy provided no substantive response. CAFR has been told that the Board of Trustees subsequently endorsed Governor DeWine’s Executive Order in 2022, but we have been unable to find evidence of this in the minutes of their meetings.

<sup>3</sup> For the IHRA definition, see <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>

<sup>4</sup> A sample: the full set of eleven “examples” and “illustrations” includes seven concerning the State of Israel: <https://holocaustremembrance.com/resources/working-definition-antisemitism>

This report therefore considers the implications for academic freedom of the adoption of the IHRA definition of “antisemitism”, which the Committee on Academic Freedom and Responsibility (hereafter CAFR) takes to include the “illustrations” and “examples”.<sup>5</sup>

### CAFR’s mandate

CAFR is charged to “study all conditions which may affect the academic freedom or responsibility of the faculty of the university.”<sup>6</sup> If the committee finds “that any such condition or proposed change adversely affects academic freedom, responsibility, or tenure, it shall report that find promptly to the senate for its review.” This document constitutes such a report.

CAFR understands academic freedom as the freedom of all those engaged in research and teaching for Ohio State University to research, to seek to publish and otherwise disseminate their research, and to teach, as they judge is appropriate based upon their professional training. This freedom is secure only when:

- its exercise is promoted and protected by both the stated content and actual application of university policy;
- its exercise is not threatened, in policy or effect, by the broader politics and policies that surround the university.

### Why prepare this report now?

In SP26, CAFR decided to study the adoption of the IHRA definition for three reasons:

[1] On 2 May 2023, a group of faculty brought a Resolution to the Steering Committee of the University Senate critical of the IHRA definition and asking the Senate to endorse an alternative definition of antisemitism provided by the Jerusalem Declaration on Antisemitism.<sup>7</sup> After deliberation, Steering agreed to bring the question to the Senate for discussion in Autumn 2023. Following 7 October 2023, however, the matter was tabled, as Senate leaders felt that the time was not right to debate the Resolution. When the issue was revisited in 2025, it was proposed that CAFR take up the question.

[2] On 30 January 2025, an official University website was updated to include the following language:

The university strongly condemns antisemitism and all forms of discrimination on its campuses and throughout the national and international communities. In accordance with the 2022 [Executive Order 2022-06D](#), Ohio State adopted the International Holocaust Remembrance Alliance definition of antisemitism....<sup>8</sup>

The inclusion of this language on an official University website appears to confirm that Ohio State has adopted the IHRA definition.

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<sup>5</sup> E.g., as per the Government of Canada’s *Handbook on the IHRA Working Definition of Antisemitism*: <https://www.canada.ca/en/canadian-heritage/services/canada-holocaust/antisemitism/handbook-definition-antisemitism.html>

<sup>6</sup> For CAFR’s mandate, see <https://senate.osu.edu/committees/academic-freedom-and-responsibility-cafr>

<sup>7</sup> For the JDA definition, see <https://jerusalemdeclaration.org/>

<sup>8</sup> See §Antisemitism condemnation and definition: <https://communications.osu.edu/public-affairs/key-issues>

[3] On 2 April 2026, CAFR received a memo from Committee A on Academic Freedom and Responsibility of the Ohio State chapter of the American Association of University Professors requesting that CAFR address the de facto adoption of the IHRA definition of antisemitism as a threat to academic freedom. AAUP-OSU Committee A claims that:

The Ohio State University’s adoption of the [IHRA] definition of antisemitism poses a threat to academic freedom ... [because] the IHRA expands the definition of antisemitism to include some political speech directed toward the state of Israel that should be permissible. Specifically, Ohio State’s use of the IHRA definition and its associated examples threatens academic freedom by deeming some criticisms of the state of Israel inherently antisemitic.

## Discussion

To protect the faculty’s capacity to generate novel insights into contentious topics, the University “endorses full academic freedom as essential to attain the goal of the free search for truth and its free exposition”, on the grounds that this free search for the truth “is essential to the preservation of a free society and explains the willingness of society historically to accept the concept of academic freedom.”<sup>9</sup>

Academic freedom flows from the responsibilities of scholars, including the responsibility to define their terms. The advance of inquiry presupposes the capacity of scholars to explain what they are doing, what they find, and its implications for knowledge. Defining terms and concepts therefore constitutes a fundamental element of scholarly activity. These actions presuppose the agency to freely state how the scholar understands and uses the basic categories and concepts employed in their research. Many scholarly debates hinge precisely around differences in such definitions, uses, and interpretations. Of course, these scholarly debates do not occur in a vacuum; non-scholars hold valid opinions about words used by scholars, and it is normal for government agents to define terms for legal purposes. Nevertheless, scholarly debate over the meaning of terms are not subordinate to popular uses nor legal definitions.

The adoption of the IHRA definition runs counter to Ohio State’s commitment to “full academic freedom” norms in three respects. First, there is something inherently questionable about the state mandating that the University and the scholars working within it use an official definition of *any* concept. It is problematic when state actors impose endorsement of the definitions of terms fundamental to the study of a contentious social or political topic. Doing so reduces the capacity of scholars to conduct research into topics where new light is especially needed. The free academic scrutiny of such things — “the free search for truth and its free exposition” — provides the foundation of faculty contributions to the public good.<sup>10</sup>

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<sup>9</sup> Ohio State §3335-5-01, “Academic freedom and responsibility”: <https://trustees.osu.edu/bylaws-and-rules/3335-5>. As faculty at a public university, such activities are not only protected by Ohio State’s definition of academic freedom, but also as free speech protected by the First Amendment. CAFR’s analysis however will only address the academic freedom dimension.

<sup>10</sup> Ohio State §3335-5-01. CAFR is responsible for reporting on conditions which may affect the academic freedom, not the legal dimensions of these issues. Nevertheless, we note that the adoption of the IHRA definition places the University in a complex legal position. In a [2024 decision](#) regarding an executive order by the governor of Texas requiring state agencies to adopt the IHRA definition of antisemitism (similar to Governor DeWine’s order in Ohio), the U.S. District Court of Texas that found the IHRA’s definition of antisemitism constitutes a form of “viewpoint discrimination” and found that the student plaintiffs suing to stop the order are “likely to succeed on their claim” that this definition violates the First Amendment.

Second, adoption of the IHRA definition inhibits criticisms of the policies of one specific government, i.e., the Government of Israel.<sup>11</sup> For many faculty, the analysis of state policies and practices constitutes a normal aspect of scholarship. In the course of pursuing research questions, faculty should be able to weigh evidence independent of state interference and (when their research leads them to such conclusions) present claims critical of the Government of Israel.<sup>12</sup>

Third, the adoption of the IHRA definition raises particular complications for those faculty at the University who conduct research concerning, inter alia, the nature and history of antisemitism, Jewish history, the Holocaust, genocide, the State of Israel, Palestine, and related topics. For these scholars, the adoption of the IHRA definition of antisemitism threatens to stifle their inquiry into these topics.

For such reasons, as one of the lead authors of the IHRA, Ken Stern, has explained, universities should not adopt the IHRA definition, for “adopting the IHRA definition makes assaults on academic freedom not only more likely to occur, but more likely to succeed.”<sup>13</sup>

## Findings

1. CAFR finds that the process by which the university agreed to adopt the IHRA definition as de facto policy remains unclear (see notes 1 and 2);
2. CAFR finds, in accordance with OSU-AAUP Committee A, that the adoption of the IHRA definition as a definition of “antisemitism” constitutes a “condition ... [that] adversely affects academic freedom, responsibility, or tenure” at The Ohio State University.
3. CAFR finds that the official adoption of the IHRA definition of antisemitism places academic freedom at risk especially for those faculty who conduct research on, e.g., the history and nature of antisemitism, Jewish history, Israel, Palestine, and related topics;
4. CAFR issues this report to the University Senate with the recommendation that the Senate constitute an ad hoc committee with the mandate to
  - a) clarify the standing University policy on the definition of antisemitism;
  - b) identify “appropriate alternative definition[s]” of antisemitism (see note 1);
  - c) make recommendations concerning these definitions to the University Senate in light of CAFR’s findings concerning academic freedom.

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<sup>11</sup> The IHRA definition of antisemitism has generated a robust scholarly literature, including works which have examined whether the IHRA’s “examples” and “illustrations” effectively align the meaning of antisemitism with policies favored by the Government of Israel: in favor of this hypothesis, see, e.g., Jan Deckers and Jonathan Coulter (2022) What is wrong with the International Holocaust Remembrance Alliance’s definition of antisemitism? *Res Publica* 28(4), 733-752; Sindre Bangstad (2025) The Palestine exception to academic freedom and the IHRA definition of antisemitism. *The Journal of Imperial and Commonwealth History* 53(3), 689-700; for an opposing view, see Mark Goldfeder (2023) Codifying antisemitism. *Penn State Law Review* 127(2), 405-454. There is greater agreement that, notwithstanding the IHRA definition’s provision that it is “not legally binding”, adoption of the definition by academic institutions has substantive consequences for norms and scholarly practices: cf., K.L. Marcus (2024) The legally binding character of the International Holocaust Remembrance Alliance working definition of anti-semitism. *Lewis & Clark Law Review* 27(4), 1265; R. Ruth Gould (2022) Legal form and legal legitimacy: The IHRA definition of antisemitism as a case study in censored speech. *Law, Culture and the Humanities* 18(1), 153-186.

<sup>12</sup> As the AAUP national committee on academic freedom has observed, when states adopt definitions of antisemitism that “include political criticism of the state of Israel”, the “evident purpose of such legislation is to protect Israel or the United States from critical examination of their history and policies”: AAUP (2022) Legislative threats to academic freedom: Redefinitions of antisemitism and racism: <https://www.aaup.org/reports-publications/aaup-policies-reports/policy-statements/legislative-threats-academic-freedom>

<sup>13</sup> Kenneth Stern (2025) A bad deal: By adopting the IHRA definition of antisemitism, universities are sacrificing academic freedom, *Knight First Amendment Institute*: <https://knightcolumbia.org/content/a-bad-deal-why-using-the-ihra-definition-of-antisemitism-on-campus-is-incompatible-with-academic-freedom-and-students-right-to-open-inquiry>