

Virginia RULES

Special instructional supplement



Antisemitism

Lesson goal:

To help students understand what antisemitism is and to learn when it constitutes punishable harassment, discrimination, or a hate crime.

Students will learn:

- introductory information on Jewish identity;
- the definition and examples of antisemitism;
- Virginia laws concerning antisemitism;
- how to recognize and report antisemitism; and
- resources for victims.

Suggested grade levels:

High school students

Materials:

Antisemitism Discussion and Resources handout

Before the lesson:

1. Read the entire lesson plan.
2. Make copies of the handout.
3. Identify appropriate resources for recent examples of discrimination, harassment, and/or hate crimes in Virginia and be ready to share these along with thoughts on how to properly report these incidents.

Introduction

Today's lesson is part of Virginia Rules, a program designed to provide teens with information about the laws of Virginia, which are the rules by which we live.

Not knowing about laws is like trying to play a game without knowing the rules – it would be difficult to win the game or even play well. This is especially important because our society is based on the “rule of law.”

Today's lesson focuses on antisemitism and the law. You will:

- reflect on what it means to be Jewish;
- learn the definition of antisemitism and examples of antisemitic acts;
- learn about harassment, discrimination, and hate crimes students may witness or experience, and what you can do.

Note to instructor: When discussing sensitive topics, be mindful of your students' backgrounds, particularly those who are Jewish or are connected to the Israeli-Palestinian/Arab conflict. Consider individual needs related to comfort level or potential nervousness. Plan your lesson accordingly and address any concerns beforehand to help students feel respected, safe, and comfortable participating.

What makes up an individual's identity?

Personal identity is a combination of the characteristics, beliefs, and experiences that make a particular person or group distinctive. Examples can include sex, race, religion, culture, and age, as well as other aspects of who you are, such as what you do in your spare time, your hobbies, your personality, etc. Some of these characteristics are protected by law.

Being Jewish is a cultural, ethnic, and religious identity. Some Jews experience discrimination on the basis of that identity—this is called antisemitism. We will explore what it means to be Jewish and how antisemitism is unlawful.

Incidents of antisemitism in the United States are on the rise. The incidents target Jews and Jewish institutions, including schools, synagogues, and community centers. They include shootings, assaults, harassment, vandalism, and bomb threats.

This lesson provides an opportunity for students to increase their understanding of Jewish people and the antisemitism many Jews face, learn about laws combatting antisemitism, and gain resources for reporting harassment, discrimination, and hate crimes.

Note to instructor: Ask students, “Why should a discussion of antisemitism start with Jewish identity?” (E.g. understanding others, respecting peers for who they are, not allowing hate to define a group, avoiding caricatures.) This might be a good time to show the video: “What does it mean to be Jewish?” (<https://www.youtube.com/watch?v=CWYOOQeD41A>)

What is Jewish identity?

Explain: Two aspects of identity include religion and culture. Being Jewish involves both of those categories. The practice of Judaism as a religion and Jewish identity varies from person to person.

Religion and Culture: Judaism is an ethnoreligion (defined by ethnicity, ancestral heritage and religious affiliation) and many Jews practice Judaism (Jewish faith) in one form or another. Some Jews strictly follow religious texts to guide their daily lives while others consider themselves to be wholly secular Jews. Many Jews fall somewhere in between and may participate in only a few holidays. There are also differing views of what full religious adherence requires. For example, Passover is one of the most widely celebrated Jewish holidays and is observed in different but related ways across the world, similar to how Christmas and Ramadan are celebrated in different ways around the world by individuals with different levels of religious commitment the rest of the year.

Being Jewish is a cultural experience and identity as well as a religious one. Jewish culture can involve foods, music, philosophy, learning, and gathering as a community. Jewish culture also includes learning Hebrew, Yiddish, or other Jewish languages, and connecting to Israel as the modern Jewish state and ancestral/biblical homeland. Some individuals may also wear traditional Jewish clothing like a kippah/yarmulke (“yaa-muh-kuh”) or Jewish symbols like a Star of David or Hebrew words. There are also individuals who are not ethnically Jewish, but who converted to Judaism. Because Judaism is a religion with adherents dispersed across the world for over 2000 years, Jews are different races, colors, ethnicities, and nationalities. Most American Jews descend from Central and Eastern European communities (Ashkenazi). Significant numbers here and especially abroad also descend from communities that existed across the Middle East (Mizrahi), North Africa (Sephardi and Mizrahi), Ethiopia (Beta Israel), Central Asia (Bukharian), and elsewhere.

Note to instructor: This might be a good time to show the video: “Types of Jews: Ashkenazi, Sephardi, Mizrahi and More” (<https://www.youtube.com/watch?v=ZUHP6ot-JPg>)

Explain: Being Jewish can be complex. There are many different backgrounds and traditions that make up Jewish peoplehood, with deep roots across the Middle East, North Africa, Europe, and parts of Asia. Historically, invasions drove many Jews from their ancestral homeland in ancient Israel. This created a large Jewish diaspora, spreading not only Jewish people but their history and culture. These diaspora communities existed for centuries until many were relocated or destroyed by expulsions (e.g. 1492 Spain, 1670 Vienna, or 1940-60s Middle East), massacres (e.g. pogroms in Russia or Farhud in Iraq), and the Holocaust. Today, about 85% of Jews live in Israel and the United States, with smaller numbers concentrated in Europe, Latin America, Australia, and South Africa. What ties Jews together as a people worldwide are their common religion, culture, and history, all enriched by the traditions developed by each regional community.

How common is antisemitism?

Ask: How common do you think antisemitism is? Allow students to respond briefly.

Explain:

- Relative to their population size, Jews are targeted for discrimination and hate crimes more than others.
- Jews make up only about 2% of Virginia's population and about 2.4% of the U.S. population.
- Yet, FBI Hate Crime data shows Jews are the second most targeted group in raw numbers in the U.S. with 3,208 hate crimes in 2022 and 2023 (2024 data pending). Breaking this down, in 2022, 56% of religiously motivated hate crimes in the U.S. targeted Jews (1,257 out of 2,237 per FBI data). In the first 9 months of 2023, that rose to 61% (980 out of 1,599). In the 3 months after the October 7 attack, 75% of religiously motivated hate crimes targeted Jews (971 of 1,283). In total, 13% of all recorded hate crimes over this period targeted the American Jews (3,208 of 24,541).
- By way of comparison, other groups experiencing a high proportion of hate crimes generally have much larger populations. For example, African Americans are about 14.5% of the U.S. population and were targeted in 6,857 recorded hate crimes in 2022-2023 (28% of total hate crimes). The next three most targeted populations by total reported hate crimes in the same period are gay men (2,299 or 9.3%), Whites (1,868 or 7.6%), and Hispanics/Latinos (1,639 or 6.6%), per FBI data. (Sources: <https://www.justice.gov/hatecrimes/hate-crime-statistics> and <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/hate-crime>)
- Non-governmental organizations like the Anti-Defamation League (ADL) track antisemitism more broadly. For 2022, the ADL recorded 3,698 antisemitic incidents, including 69 in Virginia. Those numbers rose to 8,872 and 223 in 2023, respectively. The ADL's initial tally for 2024 records 4,521 antisemitic incidents nationwide and 134 in Virginia (as of January 2025 data).
 - ADL data also shows that antisemitic incidents at K-12 schools increased from 493 incidents in 2022 to 1,162 incidents in 2023, a 135% increase.
 - ADL's reporting further notes dramatic increases in certain types of incidents, including assaults, vandalism, and harassment. (Sources: <https://extremismterms.adl.org/resources/report/audit-antisemitic-incidents-2023> and <https://www.adl.org/resources/tools-to-track-hate/heat-map>)

Some background on antisemitism

Antisemitism has existed since long before the Holocaust, with some anti-Jewish tropes dating back centuries. During the Middle Ages, Jews were falsely accused of causing plagues, of murdering children for religious rituals, and of secretly conspiring to dominate the world. Many authorities barred Jews from owning land, living outside ghettos, holding public office, or participating in most occupations. This forced many Jews to make a living through moneylending, trade, and commerce. A new kind of antisemitism emerged in Europe in the mid to late 1800s. This theory said Jews were not merely a religious group but a separate "race." Antisemites believed Jews were dangerous and threatening because of their "Jewish blood." The Nazis united these new racial theories with older anti-Jewish stereotypes with devastating effects.

Even so, antisemitism did not end when the Nazis were defeated and the Holocaust's horrors came to light. Many continued to perpetuate existing antisemitic tropes and to adapt them to further their own goals. Most significantly, the Soviet Union and its allies took advantage of Israel's increasing alliance with "the West" to incorporate existing antisemitic beliefs into its Cold War propaganda. Starting in the 1950s and 60s, they recast Zionism—an umbrella term for supporting the Jewish state's continued

existence and prosperity – as an imperialist project that was the enemy of Socialism and national liberation. The Soviets not only reused existing antisemitic imagery (e.g. Jewish world domination), they falsely cast Zionism as a fascist ideology that had allied the evils of Nazi Germany. This widely spread propaganda effectively labeled the vast majority of Jews, including survivors of Nazi horrors, as Nazis themselves. While the Soviet Union is no more, echoes of its propaganda and the antisemitic tropes it perpetuated can often be seen today.

What is antisemitism?

Note to instructor: Ask students, “What do you think antisemitism means?” Take 3-5 minutes and have them write down their responses on the discussion handout. Consider separately asking why definitions are important or helpful (agreed standards, reliable statistics and study, uniform treatment, etc.).

According to the International Holocaust Remembrance Alliance (IHRA), “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.”

“Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for ‘why things go wrong.’ It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.”

“Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

1. Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
2. Making mendacious [false], dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
3. Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
4. Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
5. Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
6. Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
7. Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
8. Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
9. Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.

10. Drawing comparisons of contemporary Israeli policy to that of the Nazis.

11. Holding Jews collectively responsible for actions of the state of Israel.”

(Source: <https://holocaustremembrance.com/resources/working-definition-antisemitism>)

In 2023, the Virginia legislature adopted this definition with its accompanying examples as a tool and guide for training and education, as well as for recognizing and combatting antisemitic discrimination and hate crimes. (<https://law.lis.virginia.gov/uncodifiedacts/2023/session1/chapter471/>)

Explain: Jewish people have faced antisemitism in various forms for thousands of years, including in modern times. Currently, antisemitism is rising in Virginia and across the United States. Antisemitism related to Israel may also raise other complexities, as Israel may receive appropriate scrutiny for its actions like every other democratic nation. In addition to the definition used by Virginia, the many drafters of that definition and others found it helpful to use the “3D Test” of antisemitism when Israel is involved. This involves asking if something framed as criticism of Israel is actually **Demonization** disproportionate to real actions or using antisemitic imagery, **Double Standards** not commonly used for other democracies, or **Delegitimization** denying only the Jewish state a right to exist.

(Source: <https://jcpa.org/article/3d-test-of-anti-semitism-demonization-double-standards-delegitimization/>)

What does antisemitism look like today?

Note to instructor: Take 3-5 minutes and ask students to think of any examples of antisemitism they have experienced or heard about from family, friends, or on social media and write them on the Antisemitism Discussion and Resources handout. Ask students to include an example related to Israel that crosses the line into antisemitism. Their examples can fall within one of the IHRA examples above, but need not do so. Consider reminding students to remain respectful.

Additional examples of antisemitism include:

- swastikas, Nazi symbols, Hitler salutes, Holocaust jokes, denial/downplaying of atrocities, antisemitic jokes, slurs, stereotypes, and scapegoating (Jews are rich/cheap, conniving, etc.)
- spreading myths (Jews control media/governments, descend from Russian Khazars, killed God/Jesus, etc.)
- vandalism of synagogues, cemeteries, or other Jewish institutions

Examples related to Israel include:

- **Demonizing** Israel with antisemitic imagery or by blowing its actions out of proportion (Israeli control of the world, purposely targeting children, etc.)
- **Double Standards** applied towards Israel that are not commonly used for other democracies (e.g., Turkey, Spain, and France combat terrorism on their soil)
- **Delegitimizing** the Jewish state’s right to exist despite many nations with religious/ethnic identities, including those created after WWI and WWII (officially Muslim/Christian nations, India/Pakistan, etc.)
- shunning, marginalizing, or bullying Jews due to their affiliation with Israel or their Zionist beliefs (the belief that a Jewish state should continue to exist in some part of the ancestral Jewish homeland)

- using imagery or words associated with violence or extremist groups targeting Jews or Israelis (upside down red triangle, “from the river to the sea” implicating the destruction of Israel, Hamas flag, etc.)
- using code words to mask what is otherwise antisemitism (Zionists, globalists, elites, etc.)

Note to Instructor: First Amendment protections are very broad, and often protect antisemitic remarks and so-called “hate speech.” Such protection is distinct from Constitutional laws that bar discriminatory acts, that create sentencing enhancements based on evidence of bias, or that provide reasonable rules on the allowed time, place, and manner of speech.

Civil Rights and Hate Crimes Laws in Virginia

Virginia protects individuals from discrimination in work and school.

Antisemitism and other forms of bias may violate Civil Rights laws if it takes the form of discrimination or unaddressed harassment in educational institutions, at work, in housing, and in places of public accommodation. The Commonwealth prohibits such unlawful discrimination targeting students, workers, tenants, and customers because of race, color, religion, ethnic or national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, sexual orientation, gender identity, military status, or disability. (*Code of Virginia* § 2.2-3900, § 36-96). Protections against antisemitism are covered under both *religion* and *ethnic or national origin*.

That means that Virginia protects students from biased treatment and from discriminatory harassment that affects their ability to participate in school programs. Schools and businesses can face consequences and be forced to remedy their violations or the hostile environments they allow.

Schools can also regulate behavior beyond what is ordinarily protected by the First Amendment when actions disrupt a school’s ability to maintain a learning environment in class and at school events. This does not mean students lose their free speech rights to expression, only that restrictions on things like the time, place, and manner of speech may be greater at school.

Encourage students to report any antisemitic incident they may witness or experience and seek help by speaking to a parent, counselor, coach, or any other adult they trust. Remind them the handout has helpful resources and that you can/will share more resources at the end of the lesson.

Virginia protects individuals from Hate Crimes

Virginia also protects individuals from antisemitism connected to criminal acts. An antisemitic act may constitute a hate crime when there is a criminal act committed against a person or their property *because they are Jewish*.

Virginia law defines a “hate crime,” in part, as a “criminal act” committed “*with the specific intent of instilling fear or intimidation*” in an individual “because of race, religion, gender, disability, gender identity, sexual orientation, or ethnic or national origin.” (*Code of Virginia* § 52-8.5(C)) (emphasis added).

Virginia law requires law enforcement agencies to report all hate crimes to the Virginia State Police. (*Code of Virginia* § 52-8.5(B)).

In a 2024 FBI special report, schools were the third most common location for a reported hate crime offense from 2018 to 2022. (Source: <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/special-reports>)

According to the 2023 Crime in Virginia report, there were 325 hate crimes reported, with 42 victims under the age of 18. (Source: <https://rga.lis.virginia.gov/Published/2024/RD437/PDF>)

Explain to students that incidents like assault, harassment, or vandalism can have more severe consequences when they are motivated by antisemitism because they may constitute a hate crime.

Penalties for hate crimes

Penalties are stricter for hate crimes than for crimes not connected to a protected class. For example, it is a **Class I** misdemeanor to commit an assault and battery against another person and, if convicted, a person can get up to 12 months in jail and/or a fine of up to \$2,500. (*Code of Virginia* § 18.2-57(A)).

But if that same person commits the same crime and “intentionally” picks the victim because of his race, religious conviction, or ethnic or national origin, he or she gets a *mandatory six months in jail*. The same is true for a **Class 6** felony that results in bodily injury where the perpetrator “intentionally selects” a victim because of race, religious conviction, or ethnic or national origin. (*Code of Virginia* § 18.2-57(A)-(B)).

Review and recap

Explain: Today we have talked about the definition and history of antisemitism and the serious problem of antisemitism. You have:

- reflected upon what it means to be Jewish;
- learned the definition of antisemitism and examples of antisemitic acts; and
- learned how Virginia law protects individuals from discrimination and hate crimes.

Discussion Handout

Antisemitism Discussion and Resources

Please read the following questions and answer them as a group or individually.

Why should a discussion of antisemitism start with Jewish identity?

What are some examples of antisemitism in history? How might someone who is Jewish be affected by antisemitism?

What does antisemitism mean?

Please provide an example of antisemitism you have witnessed or seen on social media. Connect it to one of the listed criteria as an act of antisemitism according to the laws and guidelines discussed in this lesson (IHRA, 3D Test, Virginia Hate Crime laws, or examples provided in the bullet points).

Resources:

The following resources are available to help you address any bias, hate, discrimination, or other antisemitic acts you or someone you know may experience:

- <https://www.oag.state.va.us/programs-outreach/no-hate-va>
- <https://www.oag.state.va.us/citizen-resources/civil-rights>
- Jewish identity: <https://www.youtube.com/watch?v=CWYOOQeD41A> and <https://www.youtube.com/watch?v=ZUHP6ot-JPg>
- Define antisemitism: <https://holocaustremembrance.com/resources/working-definition-antisemitism>
- ADL “Antisemitism Uncovered Toolkit”: <https://www.adl.org/sites/default/files/pdfs/2022-06/Antisemitism%20Uncovered%20Toolkit.pdf>
- ADL “Audit of Antisemitic Incidents 2023”: <https://extremismterms.adl.org/resources/report/audit-antisemitic-incidents-2023>
- U.S. Dept. of Justice: https://www.justice.gov/d9/2024-01/virginia_hate_crimes_incidents_2022.pdf

If you or someone you know has experienced antisemitism in school, you can file a complaint with the Virginia Office of Civil Rights by:

- Filling out the Discrimination Complaint form: <https://vaoag.my.site.com/OAG/s/complaint-type>
- Be sure to submit your complaint not later than 300 days from the day on which the alleged discriminatory practice occurred.

Or, you can file a complaint with the federal Department of Education, Office for Civil Rights by:

- Filling out the online form found here: <https://ocrcas.ed.gov/>
- For the federal Department of Education, be sure to submit your complaint within 180 days from the day on which the alleged discriminatory practice occurred.
- See this “How to” for more: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

If criminal, also report to local law enforcement and/or state police at #77 and to the FBI at <https://tips.fbi.gov/> or 1-800-225-5324

In addition, you can report to groups like the ADL: <https://www.adl.org/report-incident> (available in Spanish).

