



BRISMES

British Society for Middle Eastern Studies

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Mr Cem Özdemir, Federal Minister of Education and Research (Alliance90/The Greens)
Dr Rolf Mützenich, Chairman, SPD parliamentary group
Mr Friedrich Merz, Chairman, CDU/CSU parliamentary group
Mr Alexander Dobrindt, Chairman, CSU parliamentary group
Ms Katharina Dröge, Chairwoman, Alliance90/The Greens parliamentary group
Ms Britta Haßelmann, Chairwoman, Alliance90/The Greens parliamentary group
Mr Christian Dürr, Chairman, FDP parliamentary group
Mr Kai Gehring, Chairman (Alliance90/The Greens), Committee on Education, Research and Technology Assessment
Dr Lina Seitzl, Deputy chairwoman (SPD), Committee on Education, Research and Technology Assessment
Mr Oliver Kaczmarek, Policy spokesperson (SPD), Committee on Education, Research and Technology Assessment
Mr Thomas Jarzombek, Policy spokesperson (CDU/CSU), Committee on Education, Research and Technology Assessment
Ms Ria Schröder, Policy spokesperson (FDP), Committee on Education, Research and Technology Assessment
Ms Nicole Höchst, Policy spokesperson (AfD), Committee on Education, Research and Technology Assessment

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Dear Mr Özdemir, Dr Mützenich, Mr Merz, Mr Dobrindt, Ms Dröge, Ms Haßelmann, Mr Dürr, Mr Gehring, Dr Seitzl, Mr Kaczmarek, Mr Jarzombek, Ms Schröder and Ms Höchst,

We write on behalf of the Committee on Academic Freedom of the British Society for Middle Eastern Studies (BRISMES) to express our profound concern over a draft joint parliamentary resolution of the parliamentary groups of the SPD, CDU/CSU, Bündnis90/Die Grünen and FDP that purports to counter antisemitism and hostility towards Israel at schools and universities and secure space for open discussion and debate. Founded in 1973, BRISMES is the largest national academic association in Europe focused on the study of the Middle East and North Africa. It is committed to supporting academic freedom and freedom of expression, both within the region and in connection with the study of the region, both in the UK and globally.

BRISMES is firmly opposed to racism in all its forms, including antisemitism, and is committed to the struggle against it. The draft resolution that you are proposing, however, fundamentally undermines academic freedom, which is protected both by Article 10 of the European Convention on Human Rights and Article 5 of Germany's Basic Law, and therefore must be abandoned. Indeed, the proposed resolution includes several deeply concerning aspects.

Firstly, while the draft resolution states that federal funding should only be awarded according to standards of scientific excellence, it also emphasizes 'that scientific excellence and antisemitism are mutually exclusive.' In its understanding of antisemitism, the resolution relies on the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism, which erroneously conflates criticism of Israel and Zionism with antisemitism, and which has frequently been used to discriminate against individuals based on their political opinion. It has been widely demonstrated in recent years that the IHRA definition is [not fit to be used](#) as a tool to



assess whether individuals' utterances or views constitute antisemitism.¹ Indeed, studies have shown how the IHRA definition has been used in ways that discriminate against Palestinians and others who wish to teach, research, study, discuss or speak out against Israel's egregious and systematic violation of basic Palestinian human rights.²

In light of the International Court of Justice's advisory [opinion](#) on 19 July 2024 that Israel is in breach of the International Convention on the Elimination of All Forms of Racial Discrimination's Article 3 (on racial segregation and apartheid), the IHRA definition could even be used to label as antisemitic those who share, or state their agreement with, the decisions of the highest court in the world. Based on the ICJ's advisory opinion, UN experts [requested](#) that states should review all diplomatic, political, and economic interactions with Israel to ensure they do not support or provide aid or assistance to its unlawful presence in the occupied Palestinian territory; impose a full arms embargo on Israel; and cancel or suspend economic relationships, trade agreements and academic relations with Israel that may contribute to its unlawful presence and apartheid regime in the occupied Palestinian territory. Will scholars who demand the German government respect the ICJ's advisory opinion and UN experts' recommendations be excluded from future federal research funding? Can German scholars working on DFG or BMBF-funded joint research projects together with international scholars who advocate for an arms embargo against Israel still continue their cooperation?

Secondly, the draft resolution calls for expanding cooperation between universities and security authorities, and urges universities to fully exercise their 'legal options' concerning behaviour deemed antisemitic. The envisaged close cooperation with security authorities is problematic insofar as it threatens to undermine university autonomy. Intensifying cooperation with security authorities also creates a climate of intimidation for both lecturers and students. This impairs the 'free space for discourse' that the motion calls for, and will have significant chilling effects on freedom of expression and academic freedom.

Thirdly, the proposed resolution contravenes both Germany's international and domestic legal obligations. Freedom of expression, including academic freedom, is protected by numerous human rights instruments and international organizations of which Germany is a signatory or member. The European Court on Human Rights treats academic freedom as a special concern of the Article 10 freedom of expression clause, Article 13 of the European Union Charter of Fundamental Rights explicitly guarantees academic freedom, Article 19 of the International Convention on Civil and Political Rights protects freedom of expression and UNESCO's recommendations on academic freedom clearly emphasise the importance of academics being free from political interference. In Germany, in addition to the aforementioned protections under international law, academic freedom is under the special protection of the Basic Law, subject to limits determined by the German Criminal Code. Under the constitutional protections afforded to science, the state may not dictate content to academics or restrict them based on the recipients' political viewpoint. Discrimination on the basis of political opinion is specifically prohibited by Article 3 paragraph 3 of Germany's Basic Law.

Yet in proposing to use the IHRA definition of antisemitism as an arbitrator of antisemitism, the proposed resolution undermines the principle that scientific funding should be allocated according to merit, and instead makes the receipt of funding conditional on academics' political views on Israel, the Palestinian question,

¹ One of the IHRA definition's own [drafters](#), Kenneth Stern, has repeatedly clarified that it was not designed for nor is it suitable to be used to arbitrate what hate speech is. Moreover, the definition has been instrumentalized for political purposes. As a result, over 100 civil society organisations from across the world [wrote](#) to United Nations Secretary-General Antonio Guterres, urging the United Nations not to adopt the definition, because it has "often been used to wrongly label criticism of Israel as antisemitic, and thus chill and sometimes suppress, non-violent protest, activism and speech critical of Israel and/or Zionism."

² In the United Kingdom, a [report](#) by BRISMES and the European Legal Support Centre (ELSC) analysed 40 cases recorded between 2017 and 2022 in which university staff and students were accused of antisemitism based on the IHRA definition. In all but two instances, the accusations of antisemitism were rejected by the university after investigation, while the remaining two are yet to be substantiated. The BRISMES-ELSC report also found that the IHRA definition is unfit to identify antisemitism; undermines academic freedom and freedom of expression in relation to the discussion of Israel and Palestine.



and specifically on the actions and policies of the Israeli government.³ It represents egregious and unjustified state interference in academia, and a serious attack on academic freedom and freedom of expression more generally.

Fourthly, the draft resolution states that supporters of the Boycott, Divestment and Sanctions (BDS) movement 'have no place in German educational and scientific institutions'. Very concerningly, it does not appear to address the fact that the Bundestag's Parliamentary Research Service has deemed the parliament's BDS resolution from 2019, to which this statement implicitly refers, unlawful, raising profound questions about your parties' commitment to the rule of law and democratic processes. Moreover, the American Association of University Professors recently published a [statement](#) affirming that academic boycotts are not in themselves violations of academic freedom and can instead be legitimate tactical responses to conditions that are fundamentally incompatible with the mission of higher education. When faculty choose to support academic boycotts, they can legitimately seek to protect and advance the academic freedom and fundamental rights of colleagues and students who are living and working under circumstances that violate freedom and one or more of those rights.

Fifthly, by focusing exclusively on antisemitism and neglecting other forms of racism, the draft resolution is biased. Similarly, while emphasizing the importance of knowledge about Israel, it fails to present Palestine and Palestinians – who are only mentioned in the context of Hamas – as possible topics for research and educational content. This risks exacerbating the already significant lack of knowledge about the history and politics of the Middle East and deepening existing prejudices.

Finally, we are very concerned that the resolution's status as a non-binding statement is being used to make demands that would appear to be clearly unconstitutional if they were to appear in actual legislation. While formally non-binding, the resolution risks having a de-facto regulatory effect that will severely undermine academic freedom.

We therefore urge you - in the strongest possible terms - to abandon this draft resolution. We furthermore call on you to:

- publicly confirm your commitment to academic freedom and freedom of expression and association and to safeguarding these constitutionally-guaranteed rights for all people in Germany;
- engage in a meaningful dialogue with representatives from academia and civil society to jointly and publicly develop policies that strengthen academia;
- abandon the IHRA definition of antisemitism.

We look forward to hearing what measures you will take in order to respond to each of the concerns outlined in this letter.

Yours sincerely,

Professor Nicola Pratt
BRISMES President

Dr Lewis Turner
Chair, BRISMES Committee on Academic Freedom

On behalf of the BRISMES Committee on Academic Freedom

To read previous letters and statements from BRISMES CAF, please visit:

[Committee on Academic Freedom](#)

³ The [recent attempts](#) to undermine academic freedom by the former Federal Minister for Education and Research, and other politicians' suggestions that funding should be withdrawn from academics exercising their right to freedom of expression, clearly demonstrate the potential for the resolution you are proposing to be abused for political ends.