

Professor Dame Janet Beer
Universities UK
Woburn House
20 Tavistock Square
London
WC1H 9HQ

24 January 2019

Dear Professor Beer,

I write on behalf of the British Society of Middle Eastern Studies (BRISMES) following a number of discussions within the BRISMES Council and the wider organization concerning the UK government's adoption of the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism and its dissemination to UK universities in February 2017.

BRISMES was founded in 1973 to encourage and promote the study of the Middle East in the United Kingdom. It is the leading UK association in this field, publishing the British Journal of Middle Eastern Studies and has hundreds of academic, student and professional members worldwide.

The IHRA definition of antisemitism, adopted by the UK government in December 2016, 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.”

This is followed by 11 examples of contemporary antisemitism. Some of these examples of contemporary antisemitism refer specifically to Israel and are the source of concern for BRISMES. [SEP:SEP] With respect to our mission, we condemn without reservation antisemitism and any form of racism and pledge to support UK universities' efforts to eliminate this. At the same time, we wish to bring to your attention the concerns of our members that the IHRA definition with its examples is being used to undermine freedom to teach and research on Israel and Palestine without fear of being accused of antisemitism. [SEP]

Whilst universities have an obligation to prevent hate speech on campuses, they also have an obligation to ensure freedom of speech and academic freedom within the law. There are already cases in which the IHRA definition has been used to close down discussion of Israel that is not prima facie antisemitic. This is despite the fact that the IHRA definition is non-legally binding. For example, in 2017, the University of Central Lancaster banned an event entitled 'Debunking misconceptions on Palestine', claiming that it contravened the IHRA definition adopted by the government.

Even where universities do not directly intervene to ban or block discussions of Israel, nonetheless, by suggesting that criticisms of Israel may be antisemitic, the IHRA definition creates a chilling atmosphere for many of our members who teach and research on matters concerning Israel and Palestine, as well as their students. The University and College Union (UCU), noting that the IHRA definition had been used to 'intimidate academics who are engaged in activities that are critical of the policies of the Israeli government but that are not

anti-semitic', voted to disassociate itself from the IRHA definition at its congress in 2017. Academics employed on temporary contracts as well as students are particularly susceptible to self-censorship out of fear that any sort of accusations, even if false and malicious, could jeopardize their future ability to obtain permanent employment. In this respect, the IHRA definition undermines academic freedom and freedom of speech.^[L1:SEP]In particular, the example that states that it may be antisemitic to, 'deny[] the Jewish people their right to self-determination, e.g. by claiming that the existence of a State of Israel is a racist endeavour' risks stifling open discussions concerning the conditions under which Israel was established, Israeli state policies, Zionist ideology and their ongoing implications for Palestinian human rights.^[L1:SEP]A number of legal and other experts have found the definition to be deficient on a number of grounds. In March 2017, Hugh Tomlinson QC stated that 'The IHRA "non-legally binding working definition" of antisemitism is unclear and confusing and should be used with caution'. Similarly, Geoffrey Robertson QC issued an opinion on 31 August stating that 'the definition does not cover the most insidious forms of hostility to Jewish people and the looseness of the definition is liable to chill legitimate criticisms of the state of Israel and coverage of human rights abuses against Palestinians'.

The above considerations are strong evidence for our view that the IHRA definition is incompatible with principles of academic freedom, and likely to stifle freedom of speech in the university system. We urge you therefore to consider UUK's position on the matter, to issue a public statement representing the grave concerns of BRISMES, and to disseminate our concerns to UK universities.

Yours sincerely,

Stuart Laing, BRISMES President

Cc Vivienne Stern