



BRISMES

British Society for Middle Eastern Studies

E-mail: administrator@brismes.org Website: www.brismes.ac.uk

BRISMES Administrative Office, Department of Politics and International Studies, University of Warwick, Coventry CV4 7AL

Prof Dr Peter-André Alt,
President of the German Rectors' Conference/Hochschulrektorenkonferenz
Leipziger Platz 11
10117 Berlin
Germany

26 February 2020

Dear Prof Dr Peter-André Alt,

I write on behalf of the Committee on Academic Freedom of the British Society for Middle Eastern Studies (BRISMES) to express our deep concern regarding the German Rectors' Conference resolution entitled 'No place for antisemitism,' which was adopted on 19 November 2019.¹ Founded in 1973, BRISMES is the largest academic association in Europe focused on the study of the Middle East and North Africa. BRISMES has a Committee on Academic Freedom, with a specific mandate to monitor and defend academic freedom in the research, study and teaching of Middle East Studies in the UK and anywhere in the world, including in academic institutions in the Middle East and North Africa.

We agree wholeheartedly with the resolution's description of universities as centres of democratic culture and places of diversity, and that universities have a responsibility to staunchly counter xenophobia and to take decisive action to help create tolerant societies. BRISMES condemns antisemitism and all forms of racism without reservation, and once again publicly reiterates our support for universities' efforts to eliminate racism from our campuses.

We are nevertheless deeply concerned by the implications that elements of this resolution have for fundamental freedoms of speech, teaching, and research on which academics rely. The resolution proposes that the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism be "established in all places of higher learning," and is attempting to impose a deeply contested and controversial definition of antisemitism, which has become highly politicised. Kenneth Stern, the lead drafter of the working definition of antisemitism, and the Director of the Bard Center for the Study of Hate, has made clear that the definition was "never intended to be a campus hate speech code." The definition, he explained, was "created primarily so that European data collectors could know what to include and

¹ <https://www.hrk.de/positionen/gesamtliste-beschluesse/beschluss/detail/kein-platz-fuer-antisemitismus>

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exclude,” but political groups have “weaponized” the definition in ways that threaten freedom of speech.² Legal experts have highlighted the dangers of this definition, with eminent barristers Hugh Tomlinson labelling it ‘unclear’ and ‘confusing,’³ and Geoffrey Robertson arguing that the definition is ‘imprecise, confusing and open to misinterpretation and even manipulation.’ Furthermore, Robertson continued, ‘it is likely in practice to [both] chill free speech’ generally and ‘legitimate criticism’ of Israel in particular.⁴

Regarding academia specifically, the main academics’ union in the United Kingdom (the University and College Union) has noted cases where the IHRA definition has 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.’⁵ These are just a few examples of the strong and wide-ranging evidence that the IHRA definition is incompatible with the principles of academic freedom.

We also note, with deep concern, that the aforementioned resolution expresses its support for a further resolution entitled ‘Against BDS and all antisemitism,’ which described the boycott, divestment and sanctions (BDS) campaign as a “particularly aggressive expression of Israel-related antisemitism, for which there must be no space at German Universities.”⁶ As a learned society in the study of the Middle East, BRISMES adopted, at its 2015 Annual General Meeting, a motion reaffirming the right of BRISMES members to engage in an open and transparent discussion about BDS, in an atmosphere free from intimidation and censorship. We are therefore very concerned that it appears that this resolution will impede the right of academics to speak about and research the BDS movement, for students to learn about, discuss, and debate the movement in a free and open manner, and for students and academics to engage in entirely legitimate political activity on and off university campuses.

The German Rectors’ Conference resolution will undoubtedly have a chilling effect on academic freedom, and the discussion of Israeli policies and politics in particular. We note furthermore that in Germany approximately 85 percent of staff in universities and research institutes below the rank of full professor are working on fixed-term contracts,⁷ and that such staff are particularly liable to feel the effects of this decision, and to self-censor their speech, teaching and research on these themes. The German Rectors’ Conference has a responsibility to uphold and defend, not threaten and curtail, the academic freedom of staff and students.

² <https://www.theguardian.com/commentisfree/2019/dec/13/antisemitism-executive-order-trump-chilling-effect>

³ <https://freespeechonisrael.org.uk/wp-content/uploads/2017/03/TomlinsonGuidanceIHRA.pdf>

⁴ <https://freespeechonisrael.org.uk/wp-content/uploads/2018/08/Geoffrey-Robinson-QC-opinion-on-IHRA.pdf>

⁵ <https://ucu.org.uk/article/8802/Business-of-the-Equality-Committee-2017#57>

⁶ <https://www.fzs.de/positionen/feminismus-antidiskriminierung/gegen-antisemitismus/>

⁷ <https://www.timeshighereducation.com/unijobs/article/academic-fixed-term-jobs-changes-germany-split-opinion/>



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In support of (at the time of writing) over 1,300 petition signatories working in German universities and research institutes,⁸ we call upon you, as the President of the German Rectors' Conference, and upon all members of the Conference, to revise this resolution to remove the clear threats to academic freedom that it contains.

Sincerely,

Professor the Baroness Afshar OBE
President, BRISMES

on behalf of BRISMES Committee on Academic Freedom

⁸ <https://www.openpetition.de/petition/online/einspruch-gegen-sprachregelungen-fuer-hochschulen#petition-main>