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The Rt Hon Helen Hayes MP

Chair, Education Select Committee House of Commons London SW1A 0AA

23 July 2025

Dear Ms Hayes

Re: Academic freedom of expression and the adoption of the IHRA definition in UK universities

I write on behalf of the Development Studies Association, the UK's membership association for those who teach, research and study global development, to raise urgent concerns regarding the UK government's 2020 directive urging universities to adopt the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism. While we fully support the need to address and eliminate all forms of racism and discrimination, we are increasingly alarmed by the harmful consequences this policy is having for academic freedom, legitimate scholarly debate, and freedom of expression in UK universities - and ultimately the impact this will have on resolving the current humanitarian crisis.

At the heart of this issue is the principle that complex and enduring conflicts - including the one between Israel and Palestine - can only be addressed through open inquiry, rigorous debate, which requires academic freedom of expression. Universities must remain spaces where diverse perspectives can be explored without fear of censorship or reprisal. Silencing critical scholarship not only undermines those freedoms but obstructs our collective ability to understand and contribute to peaceful and just solutions.

The DSA, which represents academics and practitioners in development, humanitarian, and human rights work, strongly opposes antisemitism and all forms of racism. However, as with numerous academic organisations and experts across fields - including Jewish studies, Holocaust and antisemitism scholarship, and Middle Eastern studies - we distinguish between antisemitism and legitimate critique of the policies of the State of Israel or of the political ideology of Zionism.

Our concerns echo those of other academic associations that study power, culture and the social world (for example the <u>DSA Australia</u>, and <u>scholars of Antisemitism</u>, <u>Holocaust Studies</u>, <u>Modern Jewish History and related fields</u>; <u>Council for the Defence of British Universities</u>; <u>Israeli civil society organisations</u>; and Kenneth S. Stern, the principal drafter of the IHRA definition, who continues to <u>publicly oppose</u> its use in legislation or on campuses.

We are concerned that the IHRA definition, especially in the context of government pressure to adopt it under threat of sanctions, is leading to:

- <u>Suppression of academic speech</u> and dampening of academic inquiry, particularly on the topic of Palestine and Israel;
- An <u>evidenced "chilling effect"</u>, where academics feel unable to speak or publish freely on key human rights and political issues;
- Disciplinary actions and job losses, including instances where staff have been suspended or dismissed under accusations of antisemitism, <u>only to later be vindicated by UK courts</u>;

 Confusion and fear among students and staff regarding what constitutes acceptable criticism or political expression.

In multiple recent cases, the invocation of the IHRA definition has led to investigations or <u>dismissals</u> of <u>university staff</u>. However, courts have found <u>in favour of these individuals</u>, concluding that their rights to free expression - particularly in matters of public interest - had been infringed. These cases highlight the legal tension between the government's policy and the UK's existing legal protections for freedom of speech and academic freedom.

UK law already provides robust protections against hate speech, harassment, and discrimination, including antisemitism. The Equality Act 2010, Public Order Act 1986, and Human Rights Act 1998, among others, are well-established and sufficient legal instruments to address racism and hate crimes, including those targeting Jewish individuals and communities. In this context, the imposition of the IHRA definition does not fill a legal gap - rather, it adds a problematic and unnecessary layer that has been shown to undermine rights rather than enhance them.

As a scholarly association, we are deeply concerned that this policy direction risks politicising the fight against antisemitism, dividing rather than uniting efforts to combat racism. It also compromises the ability of scholars to engage in open debate and teach difficult and urgent global issues without fear of reprisal. In doing so, it risks stifling the critical dialogue and knowledge production that are essential to any meaningful pursuit of peace, justice and development in the region.

We therefore urge the Education Committee to:

- Consider the impacts of the implementation of the IHRA definition on UK university campuses;
- Consult widely with legal experts, academic associations, human rights organisations, and scholars across relevant disciplines;
- Reaffirm the importance of existing legal protections under UK and international law for academic freedom and freedom of expression;
- Recommend a moratorium on government pressure to adopt the IHRA definition in universities, and instead promote approaches that uphold both anti-racism and academic freedom.

We would welcome the opportunity to submit further evidence or contribute to committee discussions. This is a pivotal moment for the future of higher education, and for ensuring that the vital struggle for peace is conducted in a principled and legally sound way that protects the rights of all members of the academic community. At stake is the ability of universities to foster the free academic discourse necessary to build the understanding, informed debate, and constructive engagement that are prerequisites for long-term peace and conflict resolution.

Yours sincerely,

Prof Uma Kambhampati

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