This is a transcript of The Conversation Weekly podcast 'Israel-Gaza war is having a chilling effect on academic freedom,' published on December 18, 2023.

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Gemma Ware: Some academics are concerned that the Israel-Gaza war is having a chilling effect on academic freedom. In this episode we're speaking to an Israeli legal scholar, now based in the UK, about the pressures that academics and students are facing to rein in their views about the conflict. This is the second of two episodes we're running on how the Israel-Gaza war is affecting life at universities. You can scroll back up our feed to listen to the first part, which features an interview with David Mednicoff, chair of the Department of Judaic and Near Eastern Studies at the University of Massachusetts Amherst in the US, and he talks about what's been happening on his campus.

I'm Gemma Ware and this is The Conversation Weekly, the world explained by experts.

Our guest today is Neve Gordon. After teaching for 17 years at a university in the south of Israel, Neve moved to the UK in 2016 and he's now a professor of human rights and humanitarian law at Queen Mary University of London. His research looks at the laws of war with a special focus on Israel-Palestine and he's also published about definitions of antisemitism. He's also the vice president of the British Society for Middle Eastern Studies or BRISMES and the chair of its Committee on Academic Freedom. When I spoke to Neve, he wanted to start our conversation with a short history lesson about the origins of the term 'academic freedom'.

Neve Gordon: The idea of freedom of the university to pursue knowledge first emerged in the Middle Ages as a kind of defense from the church and from those in power that the universities will become self-governing corporations with the freedom to organize their own faculties, control admission, and establish certain standards of research and teaching. Later on, Wilhelm von Humboldt created a

university in Berlin in 1811 and he said that the two principles that should guide the university was freedom to teach and freedom to learn, and from that emerged the concept of academic freedom and the whole idea of freedom to teach and freedom to learn was based also on his understanding of truth. The truth is something that we need to pursue because it is something that is constantly developing. And if we look at our ideas of truth in science or economics or in sociology, we know that ideas that we held to be true several years ago, maybe hundreds of years ago, but sometimes only 10-20 years ago, we don't consider them to be true today due to new findings and so forth. And the idea that in order to be able to search for truth, we need to have a certain freedom that the dominant views do not kind of suppress the academic endeavor in search of knowledge and truth.

Gemma Ware: In his role at BRISMES, the British Middle Eastern Studies Association, Neve has been closely following the way the war is affecting academic freedom. He also chaired a webinar on the issue in November. Can you give me some examples of what's been happening in these cases that you've been made aware of in your work?

Neve Gordon: What we've seen in the UK is we've seen the suspension of students and staff from their universities. We've seen cancelling of events. We've seen cancelling of student activities like protests, sit-ins. I think there were a few cases of students that were arrested. We've seen students that their visas are threatened to be revoked. So we've seen this major clamp-down on academic freedom. We have one example that made headlines here in the UK, a letter sent by the Secretary of State, Science, Innovation and Technologies, Michelle Donelan, to the head of the UK Research and Innovation (UKRI), which is the major funding agency for academic research in the country.

Gemma Ware: Donelan sent this letter to UKRI as it's known on October 28. In it, she expresses concern about statements made on social media by two members of an advisory committee on equality, diversity and inclusion at Research England, which is part of UKRI.

Neve Gordon: So for example one person tweeted that Israel is an apartheid and carrying out genocidal violence against the Palestinians in Gaza. And Donelan said this is antisemitic. And yet, Amnesty International and Human Rights Watch put out reports last year claiming that according to human rights law, Israel is carrying out the crime of apartheid. 900 scholars from around the world put out a statement saying that the kind of violence we're witnessing and the kind of policies we're witnessing in the Gaza Strip today are genocidal.

Gemma Ware: Just a little note here, if you want to learn more about the term genocide and the way that different people are using it to describe both the Hamas attacks on Israel and the Israeli assault on Gaza, do listen to our recent episode on the subject from late November.

Now, in response to Donelan's letter to the UKRI, more than 1,300 academics signed an open letter criticising it as an attempt at censorship. But in its own response to Donelan a few days later, the head of UKRI said that it would suspend the operations of the advisory group and launch an investigation. This sparked a backlash against UKRI from some academics who accused it of failing to defend the equality group. Several academics resigned as peer reviewers, as a result.

Neve Gordon: The UKRI clamped down basically on academic freedom within its own body, and that sent a chilling message across the country, both to staff, members, and students, 'Hey, there's things, even if they're true, you're not allowed to say them because the minister doesn't like them and it can have an effect on your career and on your studies.'

Gemma Ware: In a statement published on the UKRI website addressing the ongoing criticism, its chief executive, Professor Dame Ottoline Leyser said, "We are fully committed to the principles of freedom of speech within the law and equality, diversity and inclusion." And she said that UKRI was adopting a well-governed process to support evidenced, principled decisions. The Conversation reached out to speak to the two academics at the heart of the controversy. One declined to comment because the investigation was ongoing and the other didn't respond to our email.

Just to be clear, are most of the cases that you are coming across censure for academics or students expressing criticism of Israel rather than criticism of Hamas?

Neve Gordon: Yes, it's either a criticism of Israel or it's claims that there is some kind of sympathy for Hamas or support for Hamas.

Gemma Ware: Neve told me that there are many layers to the attacks on academic freedom that he's heard about in recent weeks. Some of them are small like schools or faculties not tweeting about events or sharing articles that they probably would have done in the past. He's heard about staff who've been called in for casual discussions with heads of department. No further action followed, but the effect was chilling, he says, and then all the way up to investigations, disciplinary hearings and arrests. And Neve says that this isn't unique to the UK. Students and academics around the world are being investigated and suspended, for expressing their views on the Israel-Gaza war.

Neve Gordon: So in Israel, the situation is worse than anywhere else. We have, as we speak, several students sitting behind bars, some of them for Facebook that basically express empathy for the suffering of the Palestinians and that can be enough to either suspend you or dismiss you from a university or even to put you behind bars.

Gemma Ware: Neve told me he's heard of 113 cases of students and staff who've been suspended or dismissed and at least ten students who've been arrested for their criticism of Israel's attack on Gaza.

Neve Gordon: This is unprecedented, and I say this as an Israeli that's well aware of the scene there. In the United States, it is also now very risky to express empathy with the Palestinians. We have, for example, in a university like Columbia University, the student society for Students for Justice for Palestine or Jewish Voices for Peace, two student societies in that university, that were suspended because they organized a protest calling for a ceasefire on Gaza. Now we have staff and students across the United States again that have been suspended. Many student societies have been suspended even though freedom of speech in the

United States is a part of the First Amendment and is protected through its constitution, we see how easily it can be clamped down.

Gemma Ware: When it comes to Europe, Neve singled out the situation in Germany.

Neve Gordon: Germany has outlawed any kind of protest supporting Palestinian rights and does not allow any kind of speech supporting Palestinian rights. And I've talked to German colleagues in the past month and they say it's just untenable. So one of my fields is Israel-Palestine. I'm getting phone calls from friends in different universities in different countries saying that they want to cancel their Israel-Palestine course for next semester because they're afraid that things that they will say in class can be interpreted by students as antisemitic because they will say, for example, Israel's committing the crime of apartheid, which according to certain definitions is antisemitic.

Gemma Ware: He stressed that all this is happening at a time when antisemitism and Islamophobia are on the rise in Europe and the United States. In the UK, the Community Security Trust, which tracks incidents of antisemitism, recorded 1,890 antisemitic incidents in the two months between October 7 and December 6. That's an increase of 528% on the same period last year. According to Tell Mama, which records anti-muslim incidents in the UK, Islamophobic incidents went up by 600% in the month after October 7, compared to the same period the previous year.

Neve Gordon: It's not as if antisemitism doesn't exist out there. Antisemitism before the war on Gaza was alive and kicking in the UK. I have two children that go to a comprehensive school in London. Both of them experienced antisemitism during their studies here, and yet all the energy is now used to kind of fight what I don't think is antisemitism, it's criticism of Israel. I've read that there is a rise in the real antisemitism, both here in the UK, in the United States and across Europe. But we need to direct our attention against that antisemitism. And we need to also recognize that there is a massive rise of Islamophobia and our leaders are saying nothing about the rise in Islamophobia. And also our university leaders are saying very little about the rise of Islamophobia, in this context.

Gemma Ware: Throughout our conversation, Neve referred to the way the definition of antisemitism has widened in recent decades and the problems that he sees with that. In particular, he's critical of a working definition of antisemitism published in 2016 by the International Holocaust Remembrance Alliance, the IHRA. It defines antisemitism as "a certain perception of Jews which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed towards Jewish or non-Jewish individuals and /or their property toward Jewish community institutions and religious facilities."

The definition has been adopted in the UK, the US, Australia, and in many European countries. Neve recently published academic research critiquing the IHRA definition and in particular some of the examples that accompany it. These include that holding Jews collectively responsible for actions of the state of Israel and drawing comparisons of contemporary Israeli policy to that of the Nazis could be antisemitic.

Neve Gordon: Traditional antisemitism was the utterances of hate speech towards Jews. It was the idea of the protocols of elders of Zion where Jews control the world through the banking system or they control the media, where certain attributes and characteristics are put on Jews like a long nose. Jews are described with long noses and that is connected somehow to greed and so forth. So it's both nefarious kind of attributes that are connected to Jews, but also it's kind of this idea that Jews control the world, and this was used in order to introduce a racialized form of governance and repression of Jews, and ultimately in World War II the extermination of six million Jews based on this antisemitic view.

Later the different proponents of Israel wanted to expand the definition of antisemitism so that it doesn't only include the traditional antisemitism, but any harsh criticism of Israel or any anti-Zionist stance will also be conflated with anti-semitism. And what we've seen is that actually the conflation of anti-semitism with harsh criticism of Israel or anti-Zionism is what is being now used in UK campuses to stifle speech on Palestine.

Gemma Ware: In 2020, the then UK Secretary of State for Education, Gavin Williamson, wrote to universities, threatening them with funding cuts if they didn't

adopt the IHRA definition of antisemitism. In September this year, the British Middle Eastern Studies Association published a report about the impact that the IHRA definition of antisemitism was having on academic freedom and freedom of speech in UK higher education. The research was based on analysis of cases submitted to the European Legal Support Centre, which provides legal support for those advocating for Palestinian rights, including academics and students.

Neve Gordon: What we saw before even the war on Gaza in the October 7 events is that this definition was being used as a kind of chill effect. And we went and looked at 40 cases between 2017, where students, staff and student groups were accused of being antisemitics. A lot of them were put under investigation, some of them under disciplinary hearing.

Gemma Ware: In 38 of these 40 cases in which the European Legal Support Centre was involved, the accusation of antisemitism was not upheld. Two of the 40 cases are still ongoing.

Neve Gordon: Now, some people might say that this is a good thing. But what we say is that the threat and the accusation of antisemitism has created a chill effect, that people are afraid to speak out about Palestinian rights because they're afraid of being branded antisemitic because if you're branded antisemitic, then ultimately that will hurt your reputation, that can damage your career prospects and so forth. Even if it's not true, once it's up there on the internet, it is really damaging.

Come the war on Gaza and we see an exponential growth in cases. So the European Legal Support Center that deals with approximately 100 cases in the UK, Holland, and Germany together per year, suddenly was dealing with almost a hundred cases in a month in the UK.

Gemma Ware: I asked Neve why he thought the Israel-Gaza war had become such a flash point for academic freedom.

Neve Gordon: I think it's an excellent question because we didn't see it regarding Ukraine and Russia. We didn't see it regarding Syria. We didn't see it in other conflicts in recent years, the same kind of clamping down. And so I think there's a

certain history here that is related to the crimes that European countries committed against the Jews, OK? And then the solution for those crimes was the support of creation of Israel as a Jewish homeland for the Jews. So we will resolve the crimes we committed on European soil in the Middle East at the expense of another people, the Palestinians. And now, when this other people are saying, 'Hey, you were solving your crimes at our expense, but we also deserve liberation and emancipation and self-determination', it's a certain kind of critique of Europe, right, and the way it resolved the problem, and Europe doesn't want to hear that.

There's a certain kind of settler-colonial alliance between the United States and Israel. Israel is considered the US fort in in the Middle East and then we have geopolitical interests today in the Middle East that all support Israel and therefore even if Israel is carrying out horrendous war crimes and crimes against humanity, the political leaders support it. And the way to support it is not allowing civil society actors, in our case, staff members in universities and students, to criticize the actions of Israel.

Gemma Ware: Well, thank you so much for your time today, Neve. We really appreciate it.

Neve Gordon: Thank you.

Gemma Ware: That's it for this week's episode of The Conversation Weekly. We'll put some links to more coverage from The Conversation on the Israel-Gaza War and the impact it's having on university campuses in our show notes. This episode was written and produced by me, Gemma Ware, and Mend Mariwany with assistance from Katie Flood. I'm also the show's executive producer. Sound design was by Eloise Stevens and our theme music is by Neeta Sarl. Stephen Khan is our global executive editor, Alice Mason runs our social media, and Soraya Nandy does our transcripts. You can connect with us on Instagram, @theconversationdotcom, on X, formerly known as Twitter, @tc_audio, or email us directly at podcast@theconversation.com. If you like what we do, please support our podcast and The Conversation more broadly by going to donate.theconversation.com. And please rate and review the show wherever you listen, as it really helps us reach a wider audience. Thanks so much for listening.