



Academic Board
Thursday 12 December 2019
Special Meeting
MINUTES

Present:

Professor Michael Arthur, President and Provost (Chair)

Dr Ali Abolfathi; Dr Afia Ali; Ms Wendy Appleby; Ms Raphaela Armbruster; Professor David Attwell; Professor Abdel Babiker; Dr Jyoti Belur; Professor Michael Berkowitz; Professor Stephanie Bird; Professor Robert Brownstone; Professor Stella Bruzzi; Professor Anna Cox; Ms Sonja Curtis; Dr Jason Davies; Professor Annette Dolphin; Dr Johanna Donovan; Ms Dominique Drai; Professor Frances Edwards; Dr Russell Evans; Dr Carlotta Ferrara degli Uberti; Professor Elizabeth Fisher; Dr Martin Fry; Professor Mary Fulbrook; Professor Alasdair Gibb; Professor Deborah Gill; Dr Hugh Goodacre; Ms Emma Grant; Ms Amanda Greene; Dr François Guesnet; Dr Lucia Gunning; Professor Helen Hackett; Dr Evangelos Himonides; Dr Arne Hoffmann; Professor Robert Howard; Dr Phyllis Illari; Professor Kathryn Jeffery; Dr Jens Kandt; Dr Ghita Kouadri Mostefaoui; Ms Katherine Koulle; Ms Tseng-Han Christina Lin Hou; Dr Helga Lúthersdóttir; Ms Collette Lux; Professor Mark Marsh; Dr Saladin Meckled-Garcia; Professor Robert Mills; Professor Yacob Mulugetta; Professor Mignon Nixon; Professor Martin Oliver; Mr Jim Onyemenam; Dr Adam Paige; Professor Enrico Palandri; Professor Ivan Parkin; Dr Anne Peasey; Professor Hynek Pikhart; Dr John Potter; Professor Geraint Rees; Dr Carol Rivas; Professor Helen Roberts; Professor Eleanor Robson; Professor Yvonne Rydin; Ms Fiona Ryland; Dr Benet Salway; Professor Joanne Santini; Professor Ralf Schoepfer; Professor Sonu Shamdasani; Dr Bill Sillar; Professor Alan Sokal; Dr Sherrill Stroschein; Professor Judith Suissa; Professor Alice Sullivan; Professor Nicolas Szita; Dr Amy Thornton; Professor Nigel Titchener-Hooker; Mr Simon To; Professor Ijeoma Uchegbu; Professor Laura Vaughan; Ms Silvia Velasco Arellano; Ms Louise Vink; Dr Nalini Vittal; Professor David Voas; Professor James Wilson.

Apologies: Ms Mumtaz Abdul-Ghafoor; Ms Lina Algurashi; Mr Faisal Ali; Dr Seth Anziska; Dr Paul Ayriss; Mr Malcolm Bailey; Professor James Bainbridge; Mr Sam Barnes; Professor Kathryn Batchelor; Dr Jane Biddulph; Professor Brad Blitz; Professor Albert Bressand; Dame Nicola Brewer; Professor Jamie Brown; Ms Louise Brown; Professor Richard Butterwick-Pawlikowski; Dr Celia Caulcott; Dr Declan Chard; Professor Olga Ciccarelli; Professor John Collinge; Professor Susan Collins; Dr William Coppola; Dr Ruth Dann; Professor Izzat Darwazeh; Professor Rohan de

Silva; Professor Simon Dixon; Professor Peter Earley; Professor Karen Edge; Dr Julie Evans; Professor Susan Evans; Dr Rachael Frost; Professor Tamar Garb; Dr Claire Garnett; Dr Andrew Harris; Professor Stephen Hart; Professor Jenny Head; Professor Michael Heinrich; Dr Victoria Hilborne; Professor Robin Hirsch; Ms Ahina Ip; Professor Heather Jones; Dr Lily Kahn; Professor Robin Ketteler; Professor Susanne Kord; Dr Sarabajaya Kumar; Professor Ofer Lahav; Mr Julian Laufs; Dr Sandra Leaton Gray; Professor Annemaree Lloyd-Zantiotis; Professor David Lomas; Professor Ruth Mandel; Professor Gesine Manuwald; Professor Charles Marson; Dr Anna Mavrogiana; Dr Margaret Mayston; Dr Claire McAndrew; Professor Usha Menon; Professor Kevin Middlebrook; Professor Sara Mole; Professor Ruth Morgan; Professor John Mullan; Ms Jameela Nagri; Dr Meera Nath Sarin; Mr Emer O'Driscoll; Professor Daniel Osborn; Dr Andy Pearce; Dr Joanne Pearce; Dr Stephen Potts; Professor David Price; Professor Sarah Price; Ms Oksana Pyzik; Professor Stephen Quirke; Dr Anna Roffey; Professor Sasha Roseneil; Professor Andreas Schaefer; Professor Anthony Segal; Professor Nicola Shelton; Dr Beatrice Sica; Ms Thushyanthi Sivagnanam; Professor Jolene Skordis; Professor Anthony Smith; Professor Sarah Spurgeon; Dr Uta Staiger; Professor Hugh Starkey; Professor Andrew Stern; Professor Sacha Stern; Professor Florence Sutcliffe-Braithwaite; Professor Konstantinos Thalassinou; Professor Alan Thompson; Professor Andrea Townsend-Nicholson; Mr Graham Van Goffrier; Professor Michael Wale; Professor Sarah Walker; Professor Simon Werrett; Dr Hannah Williams; Dr Jinghao Xue; Professor Kwee Yong.

In attendance: Dr Clare Goudy, Ms Sandra Hinton, Mr Nick McGhee (Secretary).

26. **IHRA Definition of Antisemitism and Definition of Islamophobia** (Paper 2-22)

26.1 The matter was introduced by Professor Stephanie Bird, one of the signatories to the requisition letter calling the Special Meeting. The letter reflected two related concerns: (i) the sequence of events leading to the adoption of the IHRA definition of antisemitism at the Council meeting on 21 November; and (ii) AB members' substantive concerns with elements of the definition itself. Dr Francois Guesnet (Department of Hebrew and Jewish Studies) would speak to the first issue and Professor Judith Suissa (Department of Education, Practice and Society) to the second.

26.2 Dr Guesnet considered that Council's adoption of the IHRA definition despite the nature of the discussions at AB on 6 February and 15 May demonstrated a lack of respect for AB and its responsibilities as defined in the Charter and Statutes. During its discussions AB had expressed deep concerns about the definition and its implications for free speech and academic freedom, and had come to a consensus view that a Working Group should be established in order to review the issue and to make recommendations. The Chair of AB had indicated at the meetings that he wished to make suggestions regarding the

membership of the Working Group, but GCAB had received no such suggestions. The Working Group had not been set up. GCAB had written to the Secretary of Council on 27 February 2019 setting out its concerns about the definition. It was understood that neither this letter nor the letter to the Chair of Council of 19 November 2019 had been given to all Council members. The latter had asked that Council pause any decision on the definition until after it had received the advice of the Working Group.

26.3 Professor Judith Suissa outlined the substantive concerns regarding the definition:

- a. Concerns about the definition had been expressed by a wide range of scholars, all of whom had noted its lack of clarity and potential impact on academic freedom.
- b. The author of the original IHRA definition, Kenneth Stern, had since spoken out about the practical damage that adoption of the definition might do to the academic world, notably in leading to self-censorship and the shutting down of dissent. There was evidence of the definition being used in this way elsewhere. Events had been cancelled and invitations to speakers withdrawn. In all cases documented, the IHRA definition had been cited by activists seeking to shut down debate.
- c. Many of the more vocal proponents of the IHRA definition were driven by an explicitly ideological agenda. An academic institution committed to exploring a broad range of views ought not to endorse a definition that effectively narrowed the scope for debate.
- d. UCL colleagues were concerned that their own teaching might be deemed to fall foul of the definition.
- e. Several of the examples included with the definition related specifically to the Israel/Palestine situation. Any conflation of antisemitism and anti-Zionism was problematic. There was clearly a need to educate students to recognise antisemitic tropes but also a corresponding need to educate them concerning legitimate and dissenting views about Zionism.
- f. The definition did not provide sufficient protection against hate speech nor did it ensure institutional action to address antisemitism on campus. The definition might not even protect all those it was ostensibly designed to protect, as there existed a significant minority of non-Zionist Jews.

26.4 Discussion followed, the main points of which were:

- a. A reasonable person might agree or disagree with some of the propositions listed in the definition without being antisemitic. There were grounds for reasonable debate, which should not be stifled by unfounded accusations of antisemitism. For this reason it was crucial to avoid conflating anti-Zionism with antisemitism. Some parties did conflate these

issues for tactical purposes, but a university should not allow these manipulations to be enshrined in a document that defined legitimate criticism of Israel as antisemitic.

- b. Racism of all kinds continued to be part of the lived experience of some members of UCL. To address this, the Race Equality Steering Group had developed its own Statement which had also been discussed at AB and approved at Council [*AB Minute 6, 15 May 2019*]. On that model, it ought to have been possible between February and November for a Working Group of AB to have self-organised in order to establish an alternative definition.
- c. Council had been told that SMT had considered AB's concerns carefully, and that there was no evidence that the definition would affect freedom of speech, notwithstanding the abundant evidence to the contrary. Council had also been told that the definitions were helpful sets of guidelines but not strict regulations. It appeared contradictory to assert that the introduction of the definition was essential, whilst characterising it as guidance. UCL already had a code of conduct on racism which was not being applied properly. In an incident which exemplified the difficulties that introduction of the definition could cause, a member of GCAB had been told that a letter circulated to AB on behalf of Palestinian and Arab colleagues was itself antisemitic because it violated the IHRA definition in being critical of it.
- d. Council had also been presented with a definition of Islamophobia that had not previously been submitted to AB. In the event, this had not been approved.

26.5 The Provost explained that he considered there had been a miscommunication over the setting up of the Working Group, as he had understood that GCAB would take this forward. The Provost was happy with the proposed composition of the Working Group and suggested that AB go ahead and set it up. Any proposals from the Working Group could then be put to Council to consider whether it wished to adjust its position.

26.6 GCAB's letter of 27 February had in fact been circulated to Council at the time. AB's concerns and request for a delay in the decision on the definition had been communicated by the Chair at the Council meeting on 21 November¹, prior to an extensive discussion of the matter. That discussion had also been informed by the views of the Student Union's Jewish Society, who had been deeply concerned by levels of antisemitism on campus. The view of the Jewish Society and the

¹ Secretary's note: at the AB meeting the Provost stated that it was the letter from GCAB which was read out at the meeting. This was an error; it was an opinion on the matter expressed in an email from a member of Council that was read out by the Chair.

Board of Jewish Deputies had been that adoption of the definition would signal to students that UCL was taking their concerns seriously.

26.7 Following AB in the spring, a full consultation had also taken place online with every UCL staff member invited to comment. All AB members were advised that the consultation had opened. 133 responses had been received, of which 43% were in favour of adoption, 20% in favour of adoption with modifications, and approximately 20% strongly opposed. Against that background, Council had had its difficult discussion and had made a decision. Council would, however, accept any further input AB wished to make and the outcomes of the Working Group should come through to a future meeting of Council.

26.8 AB was asked for a show of hands on the motion. Both motions were carried.

RESOLVED:

- (1) To advise Council that the adoption of this definition (and any other) of a special instance of racism should be paused until the Academic Board has carried out the process (including the Working Group) to properly scrutinise the proposal and potential alternatives, so that it may properly advise Council in the light of expert judgement about consistency with Academic Freedom – in keeping with its statutory duty under UCL’s Charter and Statutes (Statute 7 (10)(A));**
- (2) To finally resolve the matter of composition of the Working Group as follows. That this be constituted with the following membership and that it meets promptly to initiate this work and to report to the Board so that it may advise Council on the matter of group-specific definitions of racism:**

Membership composition

- **1 expert from and nominated by UCL Faculty of Laws**
- **1 expert from and nominated by UCL Department of Hebrew and Jewish Studies**
- **1 expert from and nominated by UCL Centre for Research and Evaluation in Muslim Education**
- **4 volunteers from the membership of Academic Board (or, where there are more volunteers than places, chosen by election)**
- **1 member nominated by SMT**
- **1 representative from and nominated by UCL UCU**
- **2 student representatives nominated by the UCL Students’ Union**

Any attending experts (not voting) that the Working Group chooses to incorporate up to a number of 4.

That the Secretariat issue the call to fill these positions in liaison with the Chair of GCAB.

Mr Nick McGhee
Secretary to Academic Board
Academic Services
Tel: [+44] (0)20 3108 8217
Internal extension: 58217
Email: n.mcgee@ucl.ac.uk