

July 4, 2012

Committee on Academic Freedom
Middle East Studies Association (MESA)
1219 N Santa Rita Ave, University of Arizona
Tucson AZ 85721 (USA)
520-621-5850 direct 520-626-9095 fax
SBS-MESA@email.arizona.edu

Dear Professor Donner,

Notwithstanding the great regard I have for MESA, I deplore the haughtiness of your letter. Sir, one is left with the impression that you think of the Middle East as your 'subject' in more senses than one.

Had you deigned to check with Birzeit administration, rather than setting yourselves up as judge and jury and, moreover, being quick to condemn, you would have learned the following.

The steps taken by Birzeit administration have been:

- 1) The administration (in fact, I took the decision myself) asked for the 'offending' poster to be taken down. This was done to calm tempers and avert the real risk of violent clashes on campus between opposing factions.
- 2) The administration asked Dr. Budeiri to issue a statement clarifying his position. He issued a statement that 'he meant no offence'. The administration issued a statement accepting his clarification.
- 3) The administration allowed peaceful protest (demonstrations) by groups of students who wished to do so. For the most part, these were respectful (though, I am told, there were occasionally improper slogans calling for dismissal and punishment of Dr. Budeiri).
- 4) The students accused of improper conduct in the initial incident and in the demonstrations have been referred to the University Disciplinary Committee, which has since been investigating the accusations diligently. Composed of rank-and-file faculty members, this committee is independent of the administration. 'Drastic' sanctions, such as dismissal for a term or more, have to be approved by the University Council (i.e., the administration). However, the Council has only the power to commute but not raise sanctions.
- 5) I asked for Dr. Budeiri's teaching schedule for next year to be checked to ensure that no student would be obliged to take a course with him. This was done in order to give freedom of choice, but also to avert the possibility of problems arising out of class

boycotts. As it turns out, his schedule, which had been set a long time before, meets this criterion.

I do not know the source and purpose of the campaign of misinformation and disinformation being waged, if that is what we are up against. Assuming goodwill, the charges against the administration could be attributed to misunderstandings:

- 1) The charge of failure to defend Budeiri may have arisen out of the resolute refusal by the administration to dismiss summarily, without due process, students accused of improper conduct, as has been noisily demanded by some enraged faculty. Instead, the accused have been referred to the disciplinary committee. I am convinced that this right and proper. We believe, perhaps naively, that summary justice is no justice.
- 2) The charge of pressure on Dr Budeiri may have arisen out of officially requesting him to confirm that he is ready to assume his teaching duties next academic year, which he has done (he had declared repeatedly that he 'cannot see himself returning to Birzeit'). I am convinced that this also right and proper.

The case raises serious and difficult general issues:

- 1) Where and how to draw the balance between academic freedom and general freedom of expression (including protest by students)?
- 2) What are the limits of academic freedom (every freedom has limits)? Do they extend beyond teaching, research and publications (do they, for example, extend to ostentatious display of provocative posters in public space)?
- 3) How to manage the evident rift in Palestinian society without curtailing freedoms?

For us, grappling with these issues is not just a question of intellectual debate, but also of every day practice in difficult, sometimes explosive, situations.

Let me be quite clear. Birzeit University has been built on solid foundations by the toil and sacrifices of many of people over many years; past and present students, faculty, staff and administrations (I am new here; I claim no credit). The foremost duty of the university community is to preserve this institution of which we Palestinians can justly be proud. The current administration, as well as, I trust, future administrations, will not allow infantile leftism, senile liberalism, or extremist Islamism to undermine this great institution, let alone causing it to be torn asunder by internecine strife.

At the risk of being accused of implicitly levelling a charge of hypocrisy, may I respectfully suggest that MESA turn its attention, more usefully, to the defence of the collective academic freedoms of the Palestinian people, which are being trampled upon daily by the Israeli occupation. In particular, would you care to mount a campaign to:

- 1) Put pressure on Israeli authorities to grant work visa to academics holding international passports (including those of Palestinian origin) who wish to work at Palestinian universities. I am certain that you are well aware that such visas are nearly always denied.

- 2) Put pressure on Israeli authorities to allow students from the Gaza strip to join universities in the West Bank. Again, I am certain that you are well aware of this gross violation of the right to education.

Finally, please rest assured that we will do our level best to defend academic freedom. We so cherish it that we are willing, albeit grudgingly, to be lectured on it by colleagues living under more fortunate circumstances.

Yours sincerely,



Khalil Hindi
President

cc: V.P. for Academic Affairs, Dr. Adnan Yahya
V.P. for Financial & Administration Affairs, Dr. Adel Zagha
V.P. for Community Outreach, Dr. Munir Qazzaz
Minister of Education, H.E. Lamis Al-Alami
Minister of Higher Education, H.E. Ali Jarbawi
Chair of Birzeit University Board of Trustees, Dr Hanna Nasser,
Secretary of Birzeit University Board of Trustees, Ms. Joyce Ajlouny