



**Middle
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of North America, Inc.

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February 12, 2014

The Honorable Peter Roskam
United States House of Representatives
227 Cannon House Office Building
Washington, DC 20515
via fax: (202) 225-1166

The Honorable Dan Lipinski
United States House of Representatives
1717 Longworth House Office Building
Washington, DC 20515
via fax: (202) 225-1012

Dear Congressmen Roskam and Lipinski,

I write to you on behalf of the Committee on Academic Freedom of the Middle East Studies Association of North America (MESA) to express our grave concern about H.R. 4009, which you introduced on February 6, 2014, and which would amend the Higher Education Act of 1965 by requiring the U.S. Secretary of Education to deny institutions of higher education “funds or any other form of financial assistance under this Act if the Secretary determines that such institution is participating in a boycott of Israeli academic institutions or scholars.”

This bill would, if enacted into law, subject Department of Education funding to a political test and encourage institutions of higher education to restrict the academic freedom of their own faculty and students for fear of losing such funding. It would penalize colleges and universities if (as the bill puts it) “any organization significantly funded by the institution adopts a policy or resolution, issues a statement, or otherwise formally establishes the restriction of discourse, cooperation, exchange, or any other involvement with academic institutions or scholars on the basis of the connection of such institutions or such scholars to the State of Israel.” These provisions constitute serious threats to the autonomy and integrity of this country’s colleges and universities.

MESA was founded in 1966 to promote scholarship and teaching on the Middle East and North Africa. The preeminent organization in the field, the Association publishes the *International Journal of Middle East Studies* and has nearly 3000 members worldwide. MESA is committed to defending academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere. MESA’s Committee on Academic Freedom has repeatedly protested actions by governments in the Middle East and North Africa, including Iran, Israel, Turkey, several of the Arab states and the Palestinian Authority, that we regard as infringing or violating the academic freedom of faculty, students and institutions of higher education. It has also regularly criticized infringements of, and threats to, academic freedom by colleges, universities, government agencies, legislative bodies and other entities in the United States

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and Canada. All of the committee's letters since 2001 can be found at <http://www.mesa.arizona.edu/committees/academic-freedom/intervention/index.html>.

MESA has not expressed a position on the recent resolutions adopted by several American academic organizations regarding relations with Israeli institutions of higher education, although it has, in the past, objected to an anti-Israel boycott resolution in the United Kingdom (see <http://www.mesa.arizona.edu/committees/academic-freedom/intervention/letters-other.html#roger051305>). It is clear to us that, whatever one's opinion of the campaign to boycott Israeli academic institutions, the principles of academic freedom protect the right of faculty and students to speak and act for, as well as against, such boycotts. If enacted, H.R. 4009 would violate those principles by threatening institutions of higher education with negative consequences should their faculty or students issue controversial statements or resolutions regarding issues of legitimate public concern, even when such statements are not made in the name of the institution. In practical terms, the broad language of the bill could potentially apply to anything from an official university decision to boycott Israeli institutions, to a university travel advisory to students or faculty traveling to Israel during times of unrest, to a student organization issuing a well-considered statement objecting to bringing a specific Israeli speaker to campus. Though H.R. 4009 is formally titled the "Protect Academic Freedom Act," it offers no concrete protections for academic freedom; instead, it appears to seek to restrict it.

We therefore call on you to honor your avowed commitment to the principles of academic freedom by withdrawing H.R. 4009 and by publicly defending the right of colleges and universities, along with their faculty and students, to discuss, debate, and advocate for the policies of academic engagement or disengagement they deem appropriate. Finally, we urge you to speak out consistently and vigorously against all threats to and violations of academic freedom, wherever they occur.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan Brown". The signature is stylized and cursive.

Nathan Brown
President