

**Middle
East
Studies
Association**
of North America, Inc.

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September 10, 2013

Dennis J. Crudele
Interim President
Florida Atlantic University
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Dear President Crudele,

I am writing on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom to express our concern about the response of Florida Atlantic University to a protest organized on April 19, 2013, by Students for Justice in Palestine, a student organization at FAU.

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 ensuring academic freedom and freedom of expression, both within the region and in connection with the study of the region in North America and elsewhere.

As we understand it, on April 19, 2013, Colonel Bentzi Gruber of the Israel Defense Forces gave a public lecture on the FAU campus about the ethics of the Israeli military, and Students for Justice in Palestine organized a protest in response. According to the information provided to us, the protest consisted of one student interrupting the speaker by making a brief statement, after which she and other student protesters walked out of the hall and continued peacefully protesting outside for about half an hour. Meanwhile, Colonel Gruber's lecture continued undisturbed inside for another hour and a half. Five FAU students later faced disciplinary proceedings as a result of their participation in the protest.

We are concerned about several specific aspects of the FAU disciplinary process and its outcome. First, there is the question of whether these students' protest was in fact constitutionally-protected free speech. In a letter to you dated August 12, 2013, the Center for Constitutional Rights, the South Florida chapter of the National Lawyers Guild and the American-Arab Anti-Discrimination Committee set forth some of the constitutional issues involved in FAU's initiation of disciplinary action against these students. Your blog post of August 19, 2013, raised the general issue of disruptive speech, but it did not directly challenge the students' assertion that their protest was not disruptive to the speaker in any meaningful way. We would appreciate your response to the arguments made in that letter, since clarifying FAU's understanding of, and policies with regard to, constitutionally-protected speech and academic freedom is crucial to determining whether these students were properly subjected to disciplinary action, and more broadly to ensuring that the full range of political views can be freely expressed on the FAU campus.

We also note that these students seem to have been disciplined for engaging in a form of protest that was milder than other protests that have taken place at FAU in recent years. As we understand it, their protest inside the room in which Colonel Gruber was speaking was quite brief and limited in scope, and there does not seem to have been any significant disruption of the speaker. To the best of our knowledge, FAU has no blanket prohibition on protest during a public event, which raises the question of whether the students involved in this specific incident have been singled out for disciplinary action.

However, we are particularly concerned about the character of the disciplinary action taken against the students. As we understand it, after a four-month investigation five of the protesters, two of whom had

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withdrawn from FAU in the interim, were allowed to sign an agreement that would keep the incident off their permanent academic records. By the terms of this agreement, two of the three students who are still enrolled at FAU are to remain on academic probation for the remainder of their undergraduate careers and are barred from holding leadership positions in recognized student organizations, and all three are required to take part this fall in the "Campus of Difference" anti-bias training program developed by the Anti-Defamation League (ADL). One of the students has also agreed to complete twenty-five hours of community service. The two students who have left FAU will be subject to the same conditions should they return to your institution.

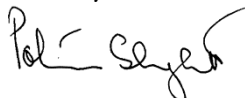
This agreement raises two distinct sets of issues, the first of which concerns the extent to which the students' acceptance of this agreement was truly voluntary. In your August 19th blog post, you stated that "the University, as part of its student disciplinary process, provides the option for all students engaged in that process to enter into voluntary resolutions that are mutually agreed upon. Any student that objects to a proposed resolution is free to avail him/herself of the University's full disciplinary process and is not required to accept any condition as part of that voluntary resolution." However, the students involved have asserted that university officials threatened them with even harsher penalties and a costly legal battle if they refused to accept the conditions specified in the agreement. If this assertion is accurate, the agreement would hardly seem to qualify as a "voluntary resolution" that has been "mutually agreed upon."

But we are also very concerned about a second issue: the requirement that students undergo the ADL's "A Campus of Difference" program. As you must know, the ADL is hardly neutral with respect to the Israeli-Palestinian conflict; indeed, it has frequently been criticized for routinely conflating virtually any form of criticism of Israel with anti-Semitism. To require that students who define themselves as activists on behalf of Palestinian rights undergo an anti-bias training program developed by the ADL, which espouses political views diametrically opposed to their own and which, moreover, defines views such as the students' not as simply misguided but as anti-Semitic, strikes us as highly inappropriate and as a threat to the academic freedom of all members of the FAU community.

Given these concerns, we call upon you to conduct a thorough and transparent review of the disciplinary procedures applied to the students involved in the April 19, 2013, incident as well as of the provisions of the agreement which several of those students signed and how their consent to it was secured, so as to ensure that your university's response to that incident fully conforms to accepted standards and procedures for disciplinary action with regard to students who have engaged in political protest. More broadly, we call upon you to reiterate Florida Atlantic University's firm commitment to protecting and upholding the free speech and academic freedom rights of its students, including the right of concerned students to express their views on controversial issues.

We look forward to your response.

Sincerely,



Peter Sluglett

MESA President

Visiting Research Professor, Middle East Institute, National University of Singapore