



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

1957 E Street NW, Suite 401  
Washington, DC 20052

Phone 520-333-2577  
Fax 520-207-3166  
caf@mesana.org  
mesana.org



12 February 2020

Gene D. Block  
Chancellor,  
University of California, Los Angeles  
[chancellor@ucla.edu](mailto:chancellor@ucla.edu)

Dear Chancellor Block:

We write to you on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom with regard to the investigation of the University of California, Los Angeles (UCLA) that was launched in January 2020 by the U.S. Department of Education's Office for Civil Rights (OCR). The OCR investigation was initiated under Title VI of the 1964 Civil Rights Act, which prohibits discrimination on the basis of race, color or national origin, apparently as the result of two separate complaints alleging that UCLA had fostered or tolerated a hostile environment for Jewish students and thereby discriminated against them.

We are of course deeply distressed by the rising tide of racism, xenophobia and anti-Semitism in the United States, and we firmly believe that combatting anti-Semitism and all other forms of racism, bigotry and discrimination is an essential duty for colleges and universities. However, we regard this investigation, and a similar investigation of [New York University](#) launched in November 2019, as politically motivated assaults on academic freedom and on the constitutionally protected right of free speech. We therefore call on you and your administration to respond to this investigation in a manner that fully respects and defends the principles of academic freedom and the First Amendment rights of UCLA students, faculty and staff.

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 over 2,700 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 North America and elsewhere.

The complaint submitted on behalf of a Jewish student at UCLA by StandWithUs, which describes itself as an "international and non-partisan Israel education organization," alleges that certain statements made by Professor Rabab Abdulhadi of San Francisco State University while a guest lecturer in a UCLA anthropology course in May 2019 subjected that student to "discrimination and harassment" on the basis of her "perceived Jewish ethnicity." The complaint alleges that some of Professor Abdulhadi's remarks, including a comparison of Zionism and white supremacy, and the assertion that Israel had committed ethnic cleansing, were self-evidently anti-Semitic. UCLA's Discrimination Prevention Office (DPO) responded to one or more complaints about Professor Abdulhadi's lecture and the ensuing question-and-answer session by reviewing a recording of the event and interviewing participants. In October 2019 the DPO concluded that *Professor Abdulhadi's comments did not in fact constitute harassment or discrimination.*

The other complaint against UCLA, submitted by the Zachor Legal Institute, which describes itself as “a legal think tank and advocacy organization...taking the lead in creating a framework to wage a legal battle against anti-Israel movements in America,” alleges that the university intentionally fostered anti-Semitism and violated the 1964 Civil Rights Act by allowing the 2018 national conference of Students for Justice in Palestine (SJP) to take place on its campus. The Zachor Legal Institute asserts that SJP is an anti-Semitic organization connected with terrorist groups, though it offers no evidence to support these allegations. We note that SJP chapters, recognized as legitimate student organizations, are active at college and university campuses across the United States and that a substantial number of Jewish students are active in many of those chapters. The Zachor Legal Institute’s complaint thus seems aimed at preventing SJP members and others from exercising their right to free speech by advocating for Palestinian rights and expressing their opposition to Israeli actions and policies with regard to the Palestinians, to Israel as a state or to Zionism as a political ideology.

By accepting these two tendentious complaints as a reasonable basis on which to open an investigation of UCLA, the OCR is in fact construing a professor’s expression of her scholarly and/or personal political perspective, and a university’s willingness to allow a legitimate student group to hold a meeting on campus, as self-evidently anti-Semitic. However, as we have [pointed out](#), it is both wrong and dangerous to deliberately conflate all criticism of Israel or of Zionism with actual manifestations of anti-Semitic bigotry. Such conflation, in this case as in many others perpetuated by organizations based outside of academia seeking to further their political agendas, and now by an agency of the U.S. government, is apparently intended to delegitimize and silence the expression of certain opinions by tarring them with the brush of anti-Semitism. This not only threatens the constitutionally protected right to free speech but may also have a chilling effect on research, teaching and public discussion of the Israeli-Palestinian conflict on college and university campuses, thereby undermining the academic freedom that is so vital to the mission of our institutions of higher education. It may also divert attention and resources from efforts to combat real anti-Semitism.

It is important to note in this regard that the investigation of UCLA was launched soon after the issuance of President Trump’s executive order of 11 December 2019, titled “Combating Anti-Semitism.” Section 1 of the executive order correctly notes that Title VI of the Civil Rights Act of 1964 “prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal assistance.” However, presumably to get around the fact that Title VI does not specifically prohibit discrimination based on religious identity, this section goes on to, in effect, construe all Jews as sharing a common national origin and thereby covered by Title VI. Jews in the United States and elsewhere identify themselves in a wide variety of ways, so the implication that all Jews share a common national origin is not a statement of fact but an ideological assertion. Like all other citizens and residents of the United States, Jews are entitled to protection against discrimination, but we deem this an ill-informed and potentially dangerous approach to securing such protection. The current investigations of UCLA and of NYU demonstrate all too clearly how this executive order is being deployed to support a campaign aimed at suppressing the expression of certain political views by students and others, and at undermining academic freedom.



Re: DoE investigation of UCLA for alleged discrimination against Jewish students

12 February 2020

Page 3

We further note that Section 2 of this same executive order requires all executive branch departments and agencies charged with enforcing Title VI to "consider" both the definition of anti-Semitism adopted by the International Holocaust Remembrance Alliance (IHRA) in 2016 and the "Contemporary Examples of Anti-Semitism" that accompany the IHRA's definition. Several of those "Contemporary Examples" conflate criticism of Israeli actions and policies, and of Zionism as a political ideology, with anti-Semitism. The deployment of such a broad, vague and flawed definition of anti-Semitism by government agencies, as in the investigation of UCLA, threatens both the constitutionally protected right to free speech and academic freedom on our college and university campuses.

We therefore call on you, Chancellor Block, and on UCLA's leadership as a whole, to respond to this investigation by making clear your firm commitment to combating anti-Semitism and all other forms of racism, but also your rejection of all efforts to weaponize allegations of anti-Semitism in order to advance a political agenda. We further urge you to vigorously and publicly reaffirm your belief that all political speech, including criticism of any government or ideology and advocacy for any group's rights, is, and must remain, constitutionally protected in the United States. Finally, we call on you to ensure that at UCLA this constitutional protection will always be accompanied by rigorous adherence to the standards and traditions of academic freedom, including freedom from the threat of politically motivated intimidation and harassment by government agencies.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dina Rizk Khoury'.

Dina Rizk Khoury  
MESA President  
Professor, George Washington University

A handwritten signature in black ink, appearing to read 'Laurie Brand'.

Laurie Brand  
Chair, Committee on Academic Freedom  
Professor, University of Southern California