



**Middle
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8 February 2023

Andrew D. Hamilton
President,
New York University
via email: andrew.hamilton@nyu.edu

Dear President Hamilton:

We write on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom to express our concern about New York University's recent investigation of Naye Idriss, a student in the M.A. program of the university's Hagop Kevorkian Center for Near Eastern Studies, for an alleged act of vandalism that NYU unreasonably construed as an expression of antisemitism. We are equally concerned about the fact that when, following this incident, Idriss exercised her rights as a member of NYU's graduate student union, she was effectively terminated from her position as an employee at NYU's Bobst Library. These unwarranted and disproportionate actions violated Idriss's constitutionally protected right to free speech and compromised NYU's avowed commitment to respect the academic freedom of its faculty, students and staff, as well as the rights of its graduate student workers.

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 2400 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.

Idriss was working in the mailroom of Bobst Library in the summer of 2022 when she came upon an empty mailbag bearing the words "Israel Postal Co. Ltd." which had apparently been used by an Israeli vendor to ship items to the library and had left in a recycling bin to be discarded. Idriss wrote the word "Fuck" above the word "Israel" on the bag and the words "Free Palestine" elsewhere on the bag. When Idriss's supervisors discovered the bag they emailed her and her coworkers to denounce the action as "bigotry" and threatened any employee found responsible with disciplinary action. Idriss's workplace alerted NYU's Department of Campus Safety, and the university's Office of Student Conduct and Community Standards initiated an investigation of Idriss for alleged vandalism and for "potential antisemitism." Idriss and two other student workers were dismissed from their library jobs, and while the other two were eventually rehired for the spring semester Idriss was not.

Though the incident occurred at Idriss's workplace, NYU sought to treat the matter as a student conduct issue, denying Idriss her right to union representation at any investigatory meeting that could lead to work-related disciplinary action. GSOC, the union representing NYU's graduate student workers, intervened and insisted that union representatives be allowed to accompany Idriss at any hearings with university officials. After the union filed an Unfair Labor Practice with the National Labor Relations Board, NYU accepted Idriss's right to union representation. The union has since successfully settled a formal grievance against NYU for discrimination against Idriss in the spring hiring process.

Idriss was formally accused of vandalism for writing on an empty mailbag left in the trash, but it was clear that she would not have been subjected to an investigation, much less threatened with disciplinary action, had she not written words on this particular mailbag that expressed her political opinions – and had those opinions not concerned Israel. As we have pointed out many times, criticism of Israel is a legitimate form of political expression and must not be conflated with antisemitism; nor is it in any way discriminatory toward Jews, who hold a wide range of opinions regarding Israel, its policies and practices toward the Palestinians under its control, and Zionism as a political ideology. It is, moreover, frankly ridiculous to investigate a student for writing a few words on an empty mailbag left in the trash; it is hard to imagine that NYU does not have more important priorities.

Thanks to GSOC's effective interventions as well as public pressure, Bobst Library has agreed to rehire Idriss and the charges against her were recently dropped. However, NYU has not retracted or apologized for the allegation that Idriss's action constituted anti-Jewish bigotry. This leaves other NYU students – particularly those who are not entitled to representation by GSOC – vulnerable to similar charges under NYU's current [Non-Discrimination and Anti-Harassment Policy](#), which incorporates unclear language taken from the flawed IHRA definition of antisemitism. As we have pointed out many times (for example, [here](#) and [here](#)), some of the examples accompanying that definition conflate criticism of Israel with antisemitism.

We therefore call on you to initiate a thorough review of NYU's Non-Discrimination and Anti-Harassment Policy to ensure that it cannot be deployed to justify the investigation and disciplining of members of the NYU community for expressing their political opinions, including on issues that some members of the NYU community may deem controversial. We further call on you to publicly reiterate your firm commitment to protecting the right of NYU's students, faculty and staff to academic freedom and to the free expression of their political opinions, and to respecting the contractual and legal rights of the university's graduate student and other workers.



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We look forward to your response.

Sincerely,

A handwritten signature in black ink that reads 'Eve M. Troutt Powell'.

Eve Troutt Powell
MESA President
Professor, University of Pennsylvania

A handwritten signature in black ink that reads 'Laurie A. Brand'.

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