



**Middle
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13 November 2023

Ronald D. Liebowitz
President, Brandeis University
president@brandeis.edu

Dear President Liebowitz:

We write on behalf of the Middle East Studies Association of North America (MESA) and its Committee on Academic Freedom to express our grave concern about your decision to withdraw recognition of the Brandeis University chapter of Students for Justice in Palestine (SJP). It was thereby rendered ineligible for funding and unable to conduct activities on campus. As a private institution Brandeis may not be subject to court rulings (such as *Healy v. James*, 408 U.S. 169 (1972)) concerning the right of students to form associations and exercise their First Amendment rights. Nonetheless, the effective banning of this organization, in contravention of Brandeis's own procedures and with no opportunity to contest the allegations made against it, exerts a chilling effect on the First Amendment rights of Brandeis students and contributes to a dangerous atmosphere in which people or groups expressing certain opinions may be sanctioned or silenced. Whether or not one agrees with statements or posts by Brandeis SJP or the national organization with which it is affiliated, we regard your decision to ban the campus chapter as contrary to your obligation to foster a campus culture in which students and other members of the Brandeis University community are able to freely express and debate a broad range of opinions.

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 2800 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.

On 6 November 2023 your administration [notified](#) the local chapter of SJP that its status as a recognized campus organization had been terminated because "it openly supports Hamas, which the United States has designated as a Foreign Terrorist Organization." The notice further asserted that "The national SJP has called on its chapters to engage in conduct that supports Hamas in its call for the violent elimination of Israel and the Jewish people." This notice apparently followed the Brandeis SJP chapter's reported declaration, following the 7 October 2023 Hamas attack on Israel, of "unwavering solidarity with the Palestinian resistance in all of its forms" and its rejection of "the characterization of Palestinian resistance as 'terrorism.'" Brandeis SJP was also reported to have posted



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messages on social media describing the 7 October attack as a “revolutionary moment in contemporary Palestinian resistance.” In various statements and interviews in recent weeks you were reported to have declared some of Brandeis SJP’s statements since 7 October “beyond the pale,” and ultimately you decided that the group had crossed a “red line” and banned it. In an [op-ed](#) in the *Boston Globe* published on 6 November 2023 you asserted, in apparent justification of your decision to ban Brandeis SJP, that chants and social media posts containing slogans such as “From the River to the Sea, Palestine Will Be Free,” “There is Only One Solution” and “Intifada, Intifada” constitute incitement to violence against Israeli civilians and are antisemitic.

As has been [pointed out](#), such slogans have been used in different ways by different individuals and organizations, and they cannot reasonably be deemed self-evidently antisemitic or hate speech. More broadly, your assessment of statements and posts by both Brandeis SJP and the national SJP organization with which it is affiliated seem to be rooted in a dangerous conflation of criticism of Israel’s policies toward the Palestinians, and of Zionism as a political ideology, on the one hand, with antisemitism on the other. As we have noted in the past, this kind of overly broad and vague definition of antisemitism can have a chilling effect on teaching about, and public discussion of, the Israeli-Palestinian conflict on college and university campuses. It also has the perverse effect of defining as antisemitism criticism of Israel or of Zionism advanced by Israeli or American Jewish scholars, or by Jewish students. It is therefore regrettable that just such a conflation seems to have formed the basis for your decision to ban Brandeis SJP, thereby striking a blow against your students’ free speech rights and against academic freedom.

In a statement dated 16 October 2023, MESA’s Board of Directors declared that it is “acutely concerned with and heartbroken by the loss of Israeli and Palestinian lives over the last week. There can be no justification for the targeting of civilians. Many of our members have been directly affected and we join them in grieving. We also join all those who are committed to a political solution that offers safety, dignity, and equal rights for Palestinians and Israelis.” The same statement went on: “We call on university leaders and administrations to affirmatively assert and protect the right to academic freedom and freedom of speech on their campuses. We reaffirm that there can be no compromise of the right and ability of students, faculty, and staff at universities across North America (and elsewhere) to express their viewpoints free of harassment, intimidation, and threats to their livelihoods and safety.”

In the current moment we are witnessing a surge in antisemitic, anti-Palestinian, anti-Arab and Islamophobic speech and attacks. All of this



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country's institutions of higher education must confront this surge and vigorously combat all forms of racism and hate speech. At the same time, we note that the environment on North American campuses strongly resembles that of the period that followed the attacks of 11 September 2001, when students and faculty members who criticized the actions of the U.S. government or attempted to provide historical context for the attacks were subject to threats, harassment and assault. The current attempts to police acceptable speech, suppress certain perspectives and punish (or even criminalize) political expression are also reminiscent of the McCarthy/"Red Scare" period of this country's history. College and university campuses are vital spaces in which the free exchange of ideas – even those which some may deem controversial or "beyond the pale" – must be promoted and protected. Hence our grave concern about your decision to ban this student organization, thereby undermining your university's avowed commitment to fostering free speech and academic freedom.

We therefore call on you to rescind your decision to ban the Brandeis chapter of SJP. We further call on you to protect *all* of Brandeis University's students, faculty and staff in the exercise of their right to freedom of speech and of association, without fear of threat, harassment or intimidation. Finally, especially in these troubled times, we urge you to resolutely defend the principles of academic freedom which are so essential to the intellectual and educational missions of our institutions of higher education and to a democratic society.

We look forward to your response,

Sincerely,

A handwritten signature in black ink, appearing to read 'Asli U. Bali'.

Aslı Ü. Bâli
MESA President
Professor, Yale Law School

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

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